

# OKLAHOMA



CAPT. PAYNE AND HIS HOME IN OKLAHOMA •

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OF

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The colony will aim to select at least territory enough for a large county, with county-seat, and the advantages that can be obtained by an early occupation. Each member will be deeded one lot in the county-seat, and will have one hundred and sixty acres of land selected for him.

Price of membership, **Ten Dollars.** No reduction.

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# OKLAHOMA!

POLITICALLY AND TOPOGRAPHICALLY  
DESCRIBED.

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## HISTORY AND GUIDE TO THE INDIAN TERRITORY.

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Biographical Sketches of

CAPT. DAVID L. PAYNE,  
W. L. COUCH, WM. H. OSBORN, AND OTHERS.

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*A Complete Guide to the Indian Territory, Illustrated with Map,  
Hunting and Fishing Grounds,*

—BY—

A. P. JACKSON and E. C. COLE.

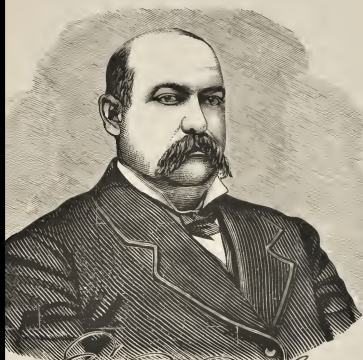
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KANSAS CITY, MO.

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*W. L. Chap*

## PREFATORY.

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From time immemorial there has lain a most enchanting country in the midst of a great nation. Still little is known concerning its true vastness by the average American of to-day. Within its boundaries lie the Indian Territory and the Oklahoma country; a country that will contribute to the world's granary, the world's treasury, the world's highway. It is a picture of a fleeting phase in our national life; it makes a new geography for that portion of America. Little is known of it—little of its greatness, richness, and beauty. Its forests and prairies await the laborer and the capitalist; its cataracts, cañons, and crests woo the painter; its mountains, salt beds, and stupendous vegetable productions challenge the naturalist. Its climate invites the invalid, healing the systems wounded by ruder climates. Its fields are large.

If we succeed in bringing to our reader's knowledge a new country, almost at the doors of the capitals of six great States, our object shall have been accomplished.

KINGMAN, KAS., March 4, 1885.









A. P. JACKSON.

# OKLAHOMA.

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## BIOGRAPHY OF CAPT. DAVID L. PAYNE.

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With the recent death of the Hon. David L. Payne, the great interest already agitating the people, and in fact the whole world on both sides of the Atlantic—the Oklahoma country and the Indian Territory—to tenfold, and almost fever heat, so that the great mass of the people are crazed over this most beautiful country, is of no wonder to the average man of to-day.

Of the statesman, the soldier, and the pioneer, David L. Payne's name stands foremost in the history of this country—Oklahoma. His sterling qualities, his faithful friendship, unwavering in devotion and constant as a polar star, have endeared him to those who knew him best. Whoever spent an hour in his friendly company without feeling his life's burdens as a feather? conscious that you were with one whom you were proud to call your friend—a convivial companion, and a true gentleman in every sense that the word implies. Rudeness and vulgarity were never a portion of your entertainment in his com-

the Indian Territory, and so became familiar and acquainted with the topographical situation of the great South-west. He naturally drifted from hunting to that of scouting. He was soon engaged by private parties on expeditions, and after a time by the Government. He became the comrade of all the distinguished trappers, guides, and hardy characters of that wild country. His intimacy with Kit Carson, Wild Bill, California Joe, Buffalo Bill, General Custer, and many others of national reputation, approached companionship.

When the civil war broke out Payne was one of the first to volunteer his services, being placed in the 4th Regiment of Kansas Volunteers, which was subsequently consolidated with the 3d Infantry; shortly afterwards the two were formed into the 10th Regiment. He served three years as private, refusing during the time six different tenders of commission. At the expiration of his three years' term he returned to Doniphan County, Kansas, and in the fall of 1864 he was elected to the Legislature of Kansas, serving in the sessions of 1864 and 1865; during which time, while never courting the part of an orator, his influence was pronounced. At the close of the Legislature he again volunteered as a private, taking the place of a poor neighbor who was drafted.

CAPT. PAYNE AS AN INDIAN SCOUT.



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He felt that he was better able to stand the hardships, and leave his friend and neighbor at home with his large and dependent family. Payne, upon re-entering the service, assisted in recruiting a company for General Hancock's corps of volunteers, and succeeded in enlisting one hundred and nine men, all hardy frontiersmen, who were devotedly attached to him. Again Payne refused to accept a commission, preferring to remain a private and with his friends

Payne's services in the volunteer army extended over a period of eight years, first as a private in Company F, 10th Regiment Kansas Infantry, from August, 1861, until August, 1864. His second enlistment was in Company G, 8th Regiment of Western Volunteers, and as a private, from March, 1865, until March, 1866. His third service was as Captain of Company D of the 18th Kansas Cavalry, which he served from October, 1867, until November of the same year. And his last service was in the Regular Army as Captain of Company H, of the 19th Kansas Cavalry, in which he served from October, 1868, until October, 1869. In the meantime he performed other services of great value to the State. He was at one time Postmaster at Fort Leavenworth; also appointed Sergeant-at-arms, for two terms, of the Kansas State Senate. And in

1875 and 1876 he was Door-keeper to the House of Representatives in Congress, at Washington, D. C. Besides engaging in political campaigns that gave him social and acknowledged influence as a leader, he was an ardent supporter of Gen. Tom Ewing, who, after serving a term as Chief Justice of Kansas, sought the great honor of United States Senator. It is credited to Capt. D. L. Payne that Gen. Ewing received his nomination through his influence and support; and such were his efforts in behalf of Gen. Ewing that they remained ever afterwards warm and steadfast friends.

During the rebellion Capt. Payne was attached to the Army of the Frontier under Gen. Blunt, and was engaged in nearly all of the memorable conflicts that took place in Missouri and Arkansas, distinguished for the desperate fighting and mortality of men. He was a participant in the battle of Prairie Grove, Arkansas, which occurred on the 7th day of December, 1862; and in this engagement he performed an act of gallantry which entitled him to a place in history. In the hottest of the fight his First Lieutenant, Cyrus Leland, was shot through the arm and then through the right shoulder. The enemy, having recovered from the charge, and re-inforced, poured a deadly fire into the ranks of Capt. Payne's com-



pany. The commanding officer ordered his men to fall back. Capt. Payne, seeing his brave comrade lying upon the ground, while the maddened enemy was charging and ready to trample him under, stepped out of the ranks and lifted up the almost lifeless lieutenant and bore him upon his shoulders for fully one-half mile to his own tent, where surgical attendance saved the life of his friend. Lieutenant Leland was afterwards appointed Adjutant-General upon Gen. Ewing's staff, and is now a wealthy citizen of Troy, Kansas, a living evidence of Payne's heroism and devotion. During the session of 1864 and 1865 Payne opposed the Special-Bounty Act purely upon patriotic grounds. However, the act was passed; but he refused to accept it for his own use, but donated it to the county which he represented, thus sustaining his honesty and consistency.

After the close of the war Payne again resumed the occupation of plainsman, hunting, scouting, guarding caravan trains. From nature he was congenial; from his commanding figure and ways, he was held in respect by the most daring desperado and the wild Indians of the plains, and earned for himself the name of the Cimarron Scout. The Indian Territory, the courses of the Cimarron River, and the Great Salt basin were as familiar to him as his childhood play-

ground. But few men knew as well the Indian character as he, and his numerous conflicts with the Cheyennes, Arapahoes, Kiowas, and Navajoes were numerous and beyond description.

In the year 1870 Capt. Payne removed to Sedgwick County, Kansas, near Wichita, and the following year he was again elected to the Legislature from Sedgwick County; and during that session, through his influence Sedgwick County was divided, and a new county formed from the northern portion and called Harvey County. In the redistricting one of the longest townships was called Payne Township, and for many years it was his home, where he owned a large ranch about ten miles east of Wichita.

In 1879 Capt. Payne became interested in a movement for the occupation and settlement of a district in the Indian Territory known as Oklahoma, which signifies in the Indian language *Beautiful Land*. This Beautiful Land is located in the center of the Indian Territory, and comprises an area of 14,000,000 acres of the finest land on the American continent. Capt. Payne claimed the right to settle on this land under the treaty made by the Government with the Indians in 1866, by which this district was ceded to the United States and became a part of the public domain, and was actually surveyed and set apart as



CAPT. PAYNE CROSSING THE LINE GOING TO OKLAHOMA.



such. Through his personal endeavors a large colony was organized for the purpose of entering and settling upon these lands. The colony moved early in December, 1880, and first assembled upon the borders of the Territory near Arkansas City, on the banks of Bitter Creek; and, after organizing upon military basis, moved along the State line to Hunnewell, where they went into camp. The colony was closely followed by the United States cavalry under command of Col. Copinger, who had previously informed the intending colonists that any attempt to enter the Indian Territory would be forcibly resisted, the President of the United States having issued a proclamation to that effect. At Hunnewell the troops occupied one side of the creek and the colonists the other. The latter remained in camp for three days, receiving a great many recruits from Western Kansas. On Sunday, the 12th, the camp was crowded during the day with the inhabitants of the surrounding country, who came some from sympathy and some from curiosity. In the afternoon there was a dress-parade by the colonists, and fully 600 men were in line. The wagons numbered 325, with a goodly number of women and children. During the afternoon of this memorable Sabbath-day the colonists held divine service, conducted by the colony chaplain. The

United States troops were invited to attend, which they did, officers and soldiers. The services were opened by that old familiar air, "America"; and the text from Exodus: "The Lord commandeth unto Moses 'to go forth and possess the promised land.'" Appropriate hymns were sung, and the services were closed with the rendition of the "Star Spangled Banner." The feelings and emotions were visibly manifested on all sides, and officers and soldiers affected alike. The stars and stripes were fanning the breezes of a beautiful day from both camps. The wagons were covered by banners with such mottoes as: "Strike for your homes," "No turn back," "On to Oklahoma," and sundry other devices. In the evening council was held as to what course to pursue. It was decided to wait a few days for some modification of the President's orders. Receiving no answer from the petition that had been forwarded to the President, and getting somewhat uneasy, some proposed to enter the land in spite of the military. A meeting was held on the 13th day of December, at which Dr. Robert Wilson, of Texas, was appointed a committee of one to go to Washington, D. C., and see if something could be done at once to relieve the critical situation of the colonists. On the 14th day of December the colony moved on to Caldwell, some thirty-



CAPT. PAYNE BRIDGING THE DEEP FORK.





five miles, where they were joined by five more wagons and twenty men. The mayor and a long procession of citizens escorted them through the town, ladies waving handkerchiefs and men and children cheering. The troops moved along with the colonists without interfering with their progress. The day following a mass-meeting was held by the citizens of Caldwell, resolutions were adopted indorsing the movement to settle these lands, and asking the President to order the troops to accompany the colonists to Oklahoma as an escort. Being unable to induce Congress or the President to move in their behalf, the colonists became restive, and shortly afterwards—Capt. Payne having been arrested by the United States authorities, charged with trespassing upon Indian lands, and thus deprived of their leader—the colonists temporarily disbanded. Capt. Payne was taken to Fort Smith, before the United States District Court, Judge Parker presiding, and on the 7th of March, 1881, was tried before that Court. Capt. Payne was ably represented by Judge Barker, of St. Louis, Mo., who argued at length the treaty of 1866. The question raised by Capt. Payne's arrest involved directly the nature and validity of that treaty, and hence means were offered for testing a point upon which the Secretary of the Interior and the ablest

lawyers of the country were at variance, the latter holding that Oklahoma was a part of the public domain and subject to settlement same as other public lands. Capt. Payne at this trial was nominally bound over under bonds of \$1,000 not to re-enter the Territory, and returned home. Since the above arrest Capt. Payne has made four well-organized expeditions into the Territory, each time safely landing upon the Oklahoma lands; and there laid out towns, located farms, ploughed and planted, built houses—and has as often been turned out by the United States military, seen his property destroyed before his eyes, and forced to the Kansas line and there turned loose, he each time demanding a trial before the courts. His last expedition was in the spring and summer of 1884. He had with him 250 wagons and about 500 men, all being again dispersed by United States troops and escorted to the Kansas line. Capt. Payne and his officers were arrested and dragged through the Territory to the Texas line, thence back to the interior of the Territory, marched on foot, and often suffering for the want of food and water, the object seeming to be to wear them out. And then taken to Fort Smith and there refused a trial; then taken from there to the United States Court at Topeka, Kansas, where public sentiment finally demanded a trial,



COLONISTS CHAINED TO THEIR OWN WAGONS BY THE MILITARY AND DRAGGED  
THROUGH THE TERRITORY.



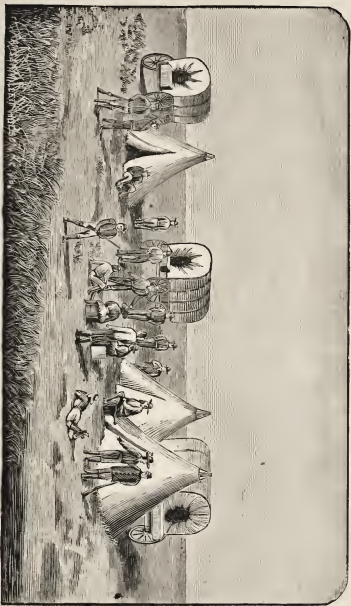
which he was accorded at the fall term of 1884, and which resulted in a decision that he was guilty of no crime; that the lands which he sought to settle upon were public lands. Elated with this decision, he returned to Wichita, Kansas, and, though shaken in health from exposure and exhaustion, he at once proceeded to gather about him his faithful followers; and found himself with the largest and strongest expedition that he had ever yet organized. And in a few days he would have marched at its head to the promised land, when suddenly, on the morning of November 28, 1884, while at breakfast at the Hotel De Barnard, in Wellington, Kansas, he fell dead in the arms of a faithful servant. He died without pain or a struggle. His body is buried in a metallic casket at Wellington, Kansas, and was followed to its present resting-place by the largest concourse of people that ever gathered together for a like purpose in Southern Kansas. They numbered many thousands. The time will come, and at no far-distant day, when his body will find a permanent resting-place beneath a monument erected to him in the great square of the capital of the State of Oklahoma.

Personally Capt. Payne was one of the most popular men on the Western frontier. He was a natural-born scout, and inured to the hardships of

the Western frontier. His mother was a cousin of the celebrated David Crockett, for whom he was named. Capt. Payne was never married.

The mantle falls upon a man, not unlike him, who can safely be trusted to carry out the plans of the dead, so nobly begun and nearly completed—W. L. Couch.





CAPT. PAYNES LAST CAMP IN OKLAHOMA.





CAPT. W. L. COUCH AND WM. H. OSBORN.

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Capt. W. L. Couch marched at the head of the last expedition in the autumn of 1884. He entered the Oklahoma country with his staff, consisting of H. H. Safford, Secretary; G. F. Brown, Treasurer; and E. S. Wilcox as Generalissimo—with about 450 men. Before reaching the town-site, they passed through wire fences and found themselves within a pasture containing 100,000 head of cattle belonging to the military ring. They at once commenced work upon places of abode, erecting a school-house out of logs; when upon the 12th of January, 1885, they were surprised by Gen. Hatch's command, consisting of about 500 cavalry and infantry and a battery of two Hotchkiss guns, demanding an immediate surrender of the settlers. The following notice was on Tuesday, the 15th day of January, served on Capt. Couch's colony at Stillwater:

*"To Whom it May Concern:* That the orders and proclamation of the President of the United States may be enforced, pertaining to the Indian Territory, for the ejectment of persons who are now there without authority and who have already resented with arms the order to remove them, it has been found necessary to invoke the assistance of the military. The General commanding the department of Missouri has

been entrusted with the enforcement of the laws, and has dispatched a large force under the command of the undersigned, with instructions to see that the laws are observed in Oklahoma. It is within the knowledge of the officer in command that some hundreds of men have banded together to resist with arms the execution of the law, of avowed insurrection against the Government. It is devoutly to be hoped any unlawful action on your part leading to the sacrifice of human life may be avoided. It must be clearly understood that the killing of any soldier obeying orders in the execution of his duty, by men armed to resist the law, is simply murder, and that they will sooner or later be tried for the same, as principals or accessories. None will regret more deeply such a result than the commanding officer and the officers serving under him. The responsibility must rest entirely with yourselves. It is with great regret that the commanding officer learns that men who served their country faithfully during some of the best years of their life to sustain the laws of the Government are now openly leagued with insurgents against the flag they served so well. It ill becomes them as old soldiers of the Union, and upon reflection they must acknowledge their error to you as all citizens. The Legislature is open to settle any grievance; there is no necessity to resort to arms. Should the collision occur to which it is the intention of your leaders to compel you, the military will not be responsible for loss of life or stock from roving bands of Indians, who will seize the opportunity to inflict injury. All the trouble can easily be avoided by observing the proclamation of the President of the United States, and peaceably leaving the Territory as directed.

[Signed.]

EDWARD HATCH,  
Brevet Major-General."

The weather being extremely cold, and Capt. Couch's supplies being cut off and he nearly out of provisions, they were forced to break camp and return to Kansas ; not surrendering, but treating the military with utter contempt. In other words it was a game of "freeze out ;" so cold the weather that the Government was obliged to send fur-clothing for the soldiers, a luxury the colonists knew but little about. The camp remained intact, and no improvements were destroyed by the soldiers, as on former occasions. Capt. Couch was arrested upon his arrival at Arkansas City by the United States Marshal, and taken before Commissioner Shearman at Wichita and put under bonds of \$1,000 to appear at ten o'clock A. M. on February 10, 1885. While at Arkansas City the colonists held a meeting, which was attended by thousands of people, and some appropriate resolutions were passed, among them the following :

*"Resolved,* That we are unanimously of the opinion that President Arthur's use of the military force of the country, in defiance of the Constitution and laws which he is sworn to defend, is solely for the purpose of preventing an investigation that would lead to his impeachment and the criminal prosecution of a ring of bribed officials, extending all the way from the White House to Oklahoma.

*"Resolved,* That we are only here to remain a sufficient time to outfit for another and more determined

effort to remain and make homes for ourselves and families upon this portion of the public domain.

*"Resolved,* That the action of the Executive in asking the armed forces of the United States and forcing them to make a winter campaign, at great expense to the treasury and extreme suffering of troops, when we had declared by a memorial that we would quietly submit to civil process, was a wanton use of arbitrary power without authority of law, for which he should be impeached, as the highest tribunal holds that no man is above law.

*"Resolved,* That the utter ignorance displayed by Senator Maxey, of Texas, in asserting in the United States Senate that these lands in controversy had never been surveyed, sectionized, and subdivided, deserves our pity, and the Senators who heard him without correcting him deserve censure.

*"Resolved,* That the action of the authorities in denying us the right to settle on these lands, while another class is allowed to remain, guarded and protected by the army of the United States, is without precedent, arbitrary, and unjust."

On the morning of February 10th the prisoners appeared promptly for examination. Assistant United States District Attorney Charles Hatton said he expected witnesses from the Territory on the noon train, and therefore it was agreed to adjourn to half-past one o'clock of that day. The train arrived, but no witnesses. The court-room was crowded with wise and gray-haired men, and the Oklahoma question was fully discussed. It was the unanimous opinion that the whole affair was a scandalous farce, and that the

Government was making an ass of itself. It is conceded, if the Government was justified, more effectual measures would have been taken, and less farcical dealing with intruders upon Government rights. It is an acknowledgment that the Oklahoma country will soon be thrown open to actual settlement, and that we shall have no more displays of military heroism

There is another faction connected with the Oklahoma country known as the Osborn "Petitioners."

Wm. H. Osborn has been one of the most energetic and useful members of Payne's colony, being Payne's private secretary. For about three years he was in a position to become very familiar with the history of the colony affairs; and after repeated attempts to make permanent location, and as often being arrested and driven out, he with others advocated that the only way was through petition to Congress. This being approved of by a portion of the original colony members, Osborn, Allison, and others branched off and formed what has since been known as the Osborn colony; always, however, working in harmony with Payne's colony, where Payne's policy was not regarded by them as being too radical. The wisdom of their course, and great services, is conceded by all, but the radical course of Payne was evidently necessary to open the way for the petitioners, without

which their petitions would have fallen like autumn leaves before Congress, and been buried in oblivion. The rights of the petitioners were vouchsafed to them; but the time has now arrived when not only petitions, but action, and harmonious action with the Couch colony, is demanded. The whole matter is substantially now in the United States courts, with recent decisions in favor of the latter. The present administration, it is expected, will pursue a more lenient course, and open the gates to this most coveted country. Hence millions of readers are interested in knowing more fully what they will find in the great Italy of America. Of all the subjects before the people to-day the most inquired about is Oklahoma. The press of the country is flooded with inquiries and questions, which space forbid them to answer—all concerning these lands; and there could be no better evidence of the existence of the wide-spread interest felt in the matter. The dispatches from all over the country further attest the general interest in Oklahoma, and the growing conviction that the white settlers must be let in. The "Chicago Tribune," in an editorial, recites that which can not but impress the country as a singular thing—that cattle corporations should be permitted to occupy, unmolested, lands from which poor and helpless home-seekers must be driven,

if need be, at the bayonet's point and with bloody slaughter. It is strange, too, that the occupation of the Black Hills, clearly the property of the Indians, should have been effected with so much less trouble than is now being encountered in Oklahoma. The truth is, the cattle corporations, money, and influence constitute the backbone of the opposition to the settlement of Oklahoma. This is the power behind the throne that is sending troops to either kill or eject a few honest and well-meaning people, who want to secure a place to earn a living by the kind permission of the corporations. This is the power that has prevented and is now preventing the cultivation of several millions of acres of the best land in the fairest climate on the face of the earth, and is keeping back the production of great crops which the world is interested in. It is believed, from the recent decisions, that the judges of the United States courts are of the same way of thinking that prevails among the people of the South-west. Call off the army, and show corporations that, notwithstanding their influence and their money, they do not own this world, and that their cattle is not king. The "Kansas City Times" says: "If the title of legitimate and actual settlers is not clear, let Congress make it clear just as quickly as proper legislation can be passed. The

opening of Oklahoma is bound to come, and the men who are doing all they can to help the cattle corporations had best get in with the procession. It is clear, in any event, that it is only a matter of a few months."





TOPOGRAPHY OF THE INDIAN TERRITORY.

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The Indian Territory proper is 480 miles east and west, including the neutral strip, and varies in width from 54 to 220 miles north and south. It lies between latitude  $33^{\circ} 30'$  and  $37^{\circ}$  north, and longitude  $94^{\circ} 21'$  and  $100^{\circ}$  west.

On June 30, 1883, the General Land-office reports the area of Indian Territory to be 63,253 square miles, or 40,481,600 acres; 13,477,610 acres remain unsurveyed. Also, on June 30, 1883, the General Land-office reports the area of the land slip to be 5,738 square miles, or 3,672,640 acres; making a total of 68,991 square miles, or 44,154,240 acres.

It is bounded on the north by Kansas and Colorado, on the east by Missouri and Arkansas, on the south by Texas, on the west by Texas and New Mexico, on the 100th meridian. The principal tribes of Indians are located as follows: The Chickasaws in the south; Choctaws, south-east; Cherokees in the north-east; the Creeks, Kiowas, and Comanches in the south-west; the Pottawatomies, Seminoles, Wichitas are in the central portion of the Territory. The different tribes and the number of Indians be-

longing to each tribe are given by the latest statistics, June 30, 1883, as follows:

Cheyenne and Arapahoe Agency—Cheyenne, 4,255; Arapahoe, 2,314.

Kiowa, Comanche, and Wichita Agency—Kiowa, 1,176; Wichita, 214; Towaconie, 152; Keechie, 78; Waco, 49; Penetheka, Comanche, 165; Delaware, 80; Caddo, 553; Apache, 340; Comanche, 1,407.

Osage Agency—Osage, 1,950; Kaw, 285; Quapaw, 200.

Otoe Agency—Otoe and Missouriia, 274.

Pawnee Agency—Pawnee, 1,251.

Ponca Agency—Ponca, 542; Nez Perce, 322.

Quapaw Agency—Seneca, 322; Wyandotte, 287; Shawnee (Eastern), 72; Miami (Western), 59; Peoria Pea and Piankeshaw, 144; Modoc, 97; Quapaw, 98; Ottawa, 115.

Sac and Fox Agency—Sac and Fox of the Mississippi, 442; Absentee Shawnee, 721; Pottawatomie (citizen), 480; Mexican Kickapoo, 418; Iowa, 86; Mokohoko band, Sac and Fox wandering in Kansas, 90.

Union Agency—Chickasaw, 6,000; Choctaw, 16,000; Cherokee, 20,336; Creek, 15,000; Seminole, 2,700. Total number of Indians in the Territory, 79,021.

The following is a list of Indian agencies and agents with their post-office and telegraphic addresses:

Cheyenne and Arapahoe—John S. Miles, post-office Darlington, Indian Territory, via Caldwell, Kansas; telegraphic address Fort Reno, Indian Territory, via Dodge City, Kansas.

Kiowa, Comanche, and Wichita—P. B. Hunt, post-office Anadarko, Indian Territory; telegraphic address Fort Sill, Indian Territory.

Osage—Laban J. Miles, post-office Pawhuska, Indian Territory; telegraphic address Coffeyville Kansas.

Ponca, Pawnee, and Otoe—Lewellyn E. Woodin, post-office Ponca, Pawnee and Otoe Agency, Indian Territory, via Arkansas City, Kansas; telegraphic address Arkansas City, Kansas.

Quapaw—D. B. Dyer, post-office Seneca, Newton County, Mo.; telegraphic address Seneca, Mo.

Sac and Fox—Jacob V. Cartar, post-office Sac and Fox Agency, Indian Territory; telegraphic address Muscogee, Indian Territory.

Union—John Q. Tufts, post-office Muscogee, Indian Territory; telegraphic address Muscogee, Indian Territory.

The above is a true and correct list of Indian agencies in the Territory. The total umber of

Indians is 79,021, occupying a no less number than 47,441,480 acres of land, being a less number of inhabitants than are contained in three counties in the State of Kansas.

Formerly the Indian Territory included a great portion of Kansas and Nebraska. The several nations have had allotted to them separate districts, marked by treaty boundaries; and each has its own government, subject only to the eminent sovereignty of the United States. In fact, the several tribes are entirely distinctive communities. In general their civilization since their settlement in the Territory has been progressive. They practice agriculture and many of the arts; some are very wealthy, and have large herds of cattle, ponies, and horses, to which they give but little care and attention, it only being necessary to round them up, brand, and sell once or twice a year as the occasion may require. In their social relations they have much improved under the guidance of missionaries sent by the various religious societies.

Their schools and academies are among the best institutions in the Indian Territory; and they have vested funds, the interest of which they receive through the United States Treasury, sufficient to place the facilities for an education within the reach of every Choctaw child. They are rapidly adopting the Ameri-

can manners, usages, and garments. The English language is taught in their schools, and it is sometimes spoken in their families. They have an excellent Choctaw translation of the entire Gospel. For their advancement in civilization, the tribes are much indebted to the Christian missionaries. The schools are under the charge of Major J. C. Hayworth, General Superintendent of Indian Education for the United States. In his January report of 1885, speaking of his last year's labor, he says "that the Indian educational institutions throughout the country are at this time better equipped and conducted, and are accomplishing more toward the education of the Indians; than ever before. New schools at Lawrence, Kansas, Genoa, Newbraska; and Arkansas City—were opened last fall. The Lawrence school has 322 pupils and the Arkansas City school 180. Another large Indian school is located at Carlisle, Pennsylvania." Besides the classical and scientific courses, all the useful arts are also taught. The Government has furnished them all the latest agricultural implements, with competent instructors for their use.

The Indians are fast becoming agriculturists, and many are large and prosperous farmers. The societies of Friends and Mennonites have done good work in the Territory, being one of the wise policies

of Gen. U. S. Grant. The "Cherokee Advocate" is published at Tahlequah, Cherokee Nation, Indian Territory, one side being in Indian language and the other in English. It has a large circulation and its influence is acknowledged.



## LIST OF SCHOOLS AND TEACHERS.

OFFICE OF BOARD OF EDUCATION, }  
 TAHLEQUAH, C. N., Jan. 10, 1885. }

The Primary Schools, teachers assigned, aggregate and average attendance of each school for the term ending December 19, 1884.

## TAHLEQUAH DISTRICT

SCHOOL.	TEACHER.	AG.	AV.
Tahlequah.....	{ Mrs. N. K. Fite, Mrs. L. M. Wilson, }	110	63
Tahlequah, col.....	Fannie Jones.....	42	24
Pleasant Valley.....	Thos. Lyman.....	31	28
Sequoyah.....	E. P. Robertson.....	59	35
Grant, col.....	L. T. Ross.....	51	37
Blue Spring.....	Ola Stephens.....	28	12
Eureka.....	Mary Leoser.....	29	15
Ball Hill.....	Wm. H. Davis.....	38	13
Catcher Town.....	Lizzie Taylor.....	35	22
Te-hee.....	Lydia Sixkiller.....	31	19
Lowrey's Prairie....	Elnior Boudinot.....	27	15
Four-mile Branch...	W. H. Fields.....	71	38
Caney.....	Miss E. J. Ross.....	42	21
Crittenden.....	Maggie Hanks.....	35	14

## GOING SNAKE DISTRICT

Oak Grove.....	W. P. Thompson.....	45	16
Rabbit Trap.....	John Brown.....	30	12
Stony Point.....	Amanda Sanders.....	23	9
Oak Ball.....	T. B. Hitchcock.....	26	12
Oaks .....	Anna Henry.....	29	15
Piny.....	Frank Akin.....	48	22
Whitmire .....	E. H. Whitmire.....	32	17
Peavine.....	Nannie Whitmire.....	54	16
Long Prairie.....	Fannie Te-hee.....	40	33
Baptist Mission.....	Mrs. Car. Quarles.....	62	19
Flint Creek.....	Flora Ingram.....	41	24
Starr Chapel.....	Sarah Adair.....	34	22
Prairie Grove.....	Mary Wright.....	47	20

## FLINT DISTRICT.

New Hope.....	Wm. Gott.....	52	28
Round Spring.....	Lou Griffin.....	29	14
Honey Hill.....	John Chandler.....	36	20
Cochran .....	W. L. Parris.....	38	18
Clear Spring.....	Lugie Mackey.....	29	15
Dalonega. ....	Chas. Woodall.....	48	20
Magnolia .....	H. M. Adair.....	33	16
Elm Grove.....	Prof. A. F. Adair.....	33	35



## COOWEESCOOWEE DISTRICT.

Vinita .....	{ S. S. Stephens, Emma Breedlove, }	113	80
Pryor's Creek.....	W. T. Sayers.....	21	8
West Point.....	Jounna Rogers.....	30	20
Claremore.....	Bettie Smith.....	26	19
Catoosa.....	Laura Inlow.....	30	18
Flat Rock, col.....	J. J. Breakbill.....	47	38
Big Creek, " .....	J. T. Ewers.....	54	36
Goose Neck, " .....	O. S. Fox.....	82	44
Lightning C., col....	C. M. Crawford.....	52	36
Sequoyah.....	Wannie McCoy.....	28	20
Bryan's Chapel.....	Mrs. Mary Wright.....	33	12
Bellview.....	Carrie Archer.....	32	17
Lightning Creek.. ..	Wm. Carey.....	32	26
Coody's Bluff.....	A. P. Edmonson.....	31	17
Three Rivers.....	Ellen Goree.....	30	19
Rogers.....	Kate Timberlake, not reported.		

## DELAWARE DISTRICT.

Roger's Spring.....	Mrs. S. M. Blythe.....	28	21
Moore.....	C. R. Bernard.....	43	20
Carr's Spring.....	Ellen Morgan.....	46	29
Olympus.....	John Gibson.....	46	28
Sager .....	A. F. Norris.....	40	27
Honey Creek.....	John E. Butler.....	28	16
Hickory Grove.....	Geo. W. Taylor.....	59	30

Willow Spring.....	John E. Duncan.....	37	26
Ballayd .....	W. W. Hastings.....	35	24
Island Ford.....	Jno. H. Beck.....	50	35
Mitchell Spring.....	S. O. James.....	36	29
Beck .....	Sue Eaton.....	31	19
New Town.....	Lizzie Smith.....	17	14
White Water.....	W. W. Hastings;(taught only one month).....	21	13
Virginia .....	Maria Sequitche, not reported.		

## SALINE DISTRICT.

Locust Grove.....	Ella Hicks.....	29	12
Arcadia.....	Ion McCoy.....	26	15
Vann's Valley.....	W. P. Adair.....	26	11
Cancauwee .....	John Leach.....	29	19
Cedar Bluff.....	John Ross.....	30	10
Wickeliff.....	Annie Terrapin.....	26	23
Chu-wa-staw-yah....	Lizzie Bennett.....	22	14

## CANADIAN DISTRICT.

Girty .....	Florence Fowler....	22	13
Derdinne .....	H. L. Chubbuck.....	43	23
Black Jack.....	Mrs. E. P. Vann.....	21	12
Woodall .....	Thos. Carlile.....	22	6
Stooping Elm.....	J. A. Sevier.....	35	27
Meridian.....	H. Kinland.....	28	8
Prairie View.....	J. W. Ivey.....	50	36
Texanna	* * * *	*	*

## SEQUOYAH DISTRICT.

Oak Dale.....	Warren Martin.....	24	10
Te-hee.....	Tommie Payne.....	24	10
Sweet Town.....	R. E. Burgess.....	40	22
Greasy Valley.....	Lydia H. Striker.....	45	20
Gunter's Prairie.....	W. O. Bruton.....	23	12
Timbuctoo.....	Susie Pritchett.....	44	23
Shiloh.....	Geo. Johnson, not re-ported.		

## ILLINOIS DISTRICT.

Roach Young.....	Z. D. Crumwell.....	31	9
Fort Gibson.....	Mrs. O. W. Lipe.....	42	31
“ “ col .....	Frank Vann.....	65	30
Garfield.....	J. H. Hickman.....	32	12
Manard .....	Emma Hicks.....	25	12
South Bethel.....	A. A. McPhee.....	51	31
Greenleaf .....	Chas. Purce.....	42	23
White Oak.....	Joseph Cookson.....	29	12
Sweet Spring.....	Jennie Starr.....	20	12
Sand Town.....	L. S. Bushey.....	41	28
Vian.....	C. L. Bowden.....	36	21

The above is taken from the teachers' reports, sworn to by them and endorsed by the directors. Those falling below the average of thirteen, under the law, are suspended.

By order of the Board of Education.

Respectfully,

T. J. ADAIR,  
*Secretary.*



THE CHOCTAWS.

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One of the Appalachian tribes of Indians who dwelt south of the Chickasaws, between the Mississippi and the Tombigbee Rivers, in what is now the central and southern portion of Mississippi and the western portion of Alabama.

Dwelling on plains or among gentle hills, they excelled every other aboriginal tribe in their agriculture, and subsisted chiefly on corn, placing but little dependence on the chase. They were called Flats or Flatheads by the English and French traders, because all the males had the fore and hind parts of their skulls flattened and compressed, which was effected by a gentle continual pressure on the head of the child soon after birth. They numbered over four thousand warriors, and maintained their independence; but allied themselves with the French, whom they assisted in exterminating the Natchez, and together with whom they were discomfited by the Chickasaws. By a treaty negotiated in 1786 they acknowledged the sovereignty of the United States and were confirmed in the possession of their territory. When in 1813 a party of the Creeks, who had recently been visited by Tecumseh, attacked and massacred

the occupants of Fort Mimms in Alabama, the Choctaws volunteered to march against them with the Mississippi militia. In 1816 they ceded a tract of land in Alabama, for which they received \$10,000 down and an annuity of \$6,000 for twenty years. They were visited by missionaries sent by the American Board of Commissioners for Foreign Missions in 1818, and began to make rapid progress in agriculture and some of the mechanical arts, and in raising cotton and manufacturing it into cloth and garments. The Government received a cession of land from them in 1830, and, in 1837, under convention with their kinsfolks, the Chickasaws, they ceded their remaining lands—7,000,000 acres—which were in Mississippi. The whole amount of land which they have ceded to the National and State governments is 19,934,400 acres, for which they have received in exchange 20,030,912 acres of land in the Indian Territory, on which they now reside, and \$2,228,730 in money and goods.

This trade by the Government was perhaps all right at that time, but very profitable to the Indians, as they transferred their Mississippi swamps for a most beautiful and fertile country; and no one disputes their vested rights to their 133,000 acres of land per capita.

The Chickasaws having become in most respects

an incorporate portion of the Choctaw tribe, they moved together prior to 1839, under officers appointed by the Federal Government, to a tract of land in the south-western part of the Indian Territory, bounded on the north by the lands of the Creeks and Cherokees, on the east by Arkansas, and on the south and south-west by Texas. Their country is divided into four districts, their principal settlement being in the eastern district, named Apucksha Nubbe. They are governed by a written constitution, elect their chief for four years, and have a regularly organized judiciary, with trial by jury and an appeal to the supreme court. They are industrious, frugal, and are making progress in those arts which are the basis of a civilized and prosperous community. They raise the cereals, grain, cotton, horses, and cattle, and possess mills, good dwellings, and highways made according to legal enactments; spinning and weaving and many of the minor manufactures and mechanical arts have been introduced among them. Their capital is Tahlequah. Vinita, Tulsa, Muskogee, Oklequah, Adair, Chetoah, are among the important towns in the Indian Territory.

The following will show one of the instructions from the executive department of justice :

(COPY.)

“INSTRUCTIONS GIVEN TO SHERIFFS.

EXECUTIVE DEPARTMENT, C. N., }  
November 11, 1884. }

“*To the Sheriffs of the Several Districts—Greeting:*

In discharging the duty imposed upon you by the law and Constitution, as instructed thereon by this Department, for the removal of obstructions to the use, by citizens of this Nation, of the common domain that is uncultivated, you are instructed further to give (if not already given) reasonable notification to all citizens residing within your respective districts, to remove all fencing or other obstructions to the free use of such domain by the Cherokee people, except the quantity allowed by law to be enclosed by each, viz., fifty acres.

“In all cases when it shall become necessary for you to act, you will remove such obstructions where more than fifty acres continue to remain enclosed, after such due notice shall have been given.

“Should fraudulent attempts be made to enclose more than (50) fifty acres of the unimproved domain, by the cultivation of patches or fields divided from each other by tracts of unbroken land within the same enclosure, you will give special notice, and allow reasonable and sufficient time, in your judgment, for the removal of the unlawful fencing, so that it may, if practicable, include such patches or fields, together with the fifty acres of native pasture land, before you proceed to enforce the law applicable to the case. Any losses growing out of the defeat of such fraudulent attempts at monopoly are not expected to be



adjudged to be borne by the Nation. Any citizen, however, who may consider himself aggrieved by the acts of any other citizen is given the right to appeal to the proper courts for remedy. Should any citizen consider himself injured or aggrieved by the willful misconduct of an officer in the way of neglecting or exceeding the exercise of his authority, such citizen is authorized by law to complain to this Department; but not otherwise than in pursuance of law regulating the manner of charging officers with malfeasance.

November 11, 1884.

[Signed.]

D. W. BUSHYHEAD,  
Principal Chief."

The Indian Territory is drained by the Arkansas and Red Rivers and their tributaries. Both have their sources in the Rocky Mountains, and, after an easterly course—the first through and the latter along the south boundary of the Territory—flow directly into the Mississippi. These rivers are navigable for steamboats for an uncertain distance, and many of their tributaries are streams of considerable size and admit of being navigated by boats of light draft. With the exception of the Washita Hills in the southwest and the Ozark Plateau, there are few irregularities of surface, particularly through the Oklahoma country, but there is a general declination eastward, in which direction the rivers flow. Otherwise the whole country spreads out into vast undulating plains, abundantly watered by innumerable streams, and in

many parts possessed of inexhaustible fertility. The climate is mild and salubrious, and, though comparatively cold in winter, is eminently fitted for agricultural purposes. On the border of the streams timber is found in abundance, and between longitude 97° and 98° a narrow strip of timber called "Cross-timbers" stretches from the Arkansas south and south-west into Texas. Eastward of these the whole country is arable. To the west are elevated and sterile prairies, scantily covered with grass, and producing only a few stunted shrubs, yuccas, cactus, grape-vines, and cucurbitaceous plants.

Vast herds of buffalo formerly roamed over these plains, and in the western part there are now deer and other animals, the hunting of which is the favorite sport of the white men as well as the Indians. Large parties are made up from all parts of the country each fall and winter—from Chicago, New York, Philadelphia, Baltimore, as well as the immediate surrounding country. We could refer to such persons in Chicago as James P. Gore, Charles C. Felton, Geo. G. Newberry, Edward Taylor, Charles T. Tyrrell, Dr. A. J. Baxter, Gen. I. N. Stiles, and others who are all well-known business and professional men, who never have returned from the Indian Territory without at least one car-load of the various kinds of game found so plenty.

fully in these favorite hunting-grounds. The game served at the celebrated game dinners given by John B. Drake & Co., of the grand Pacific Hotel, Chicago, has of late years been largely received from the Indian Territory and Oklahoma country.

In the eastern portion of the Indian Territory the Missouri Pacific Railroad leaves the Kansas State line at Chetopa, Labette County, Kansas, and runs south-westerly to Denison, Texas, passing through the Cherokees and Creek country and Choctaw nation. Leaving the Missouri State line at Modocs, Newton County, the Atlantic & Pacific and St. Louis & San Francisco Railroads run south-west to the Red Fork of the Arkansas River, with the intention of extending through the entire Indian Territory and the Oklahoma country. In the Choctaw country there are considerable mountains, with numerous streams and valleys. Their lands were ceded to them June 22, 1855 (Vol. 2, page 611). While in the Creek country on the east there are but few mountains, but considerable rough land; their lands were ceded to them February 14, 1833 (Vol. 7, page 417). The Cherokee country is rolling, and has also considerable rough land, with the divides covered with jack-oaks, and many of the valleys with heavy timber; their lands were ceded to them February 14, 1833 (Vol. 7, page

414), and July 19, 1866 (Vol. 4, page 799). The Osage country, on the west, is adapted for agricultural and grazing purposes; their lands were ceded to them July 19, 1866 (Vol. 1, page 804). In the south and central portion of the Territory is the Chickasaw country, containing some of the finest agricultural lands in the world; their lands were ceded to them June 22, 1855 (Vol. 2, page 611). Upon the west are the Kiowas, Comanches, and Apaches; their lands were ceded to them October 21, 1867 (Vol. 15, pages 581 and 598). On the north are the Wichitas; they hold by unratified agreement, October 19, 1872. And on the west and north are the Cheyennes and Arapahoes by Executive order, August 10, 1869.

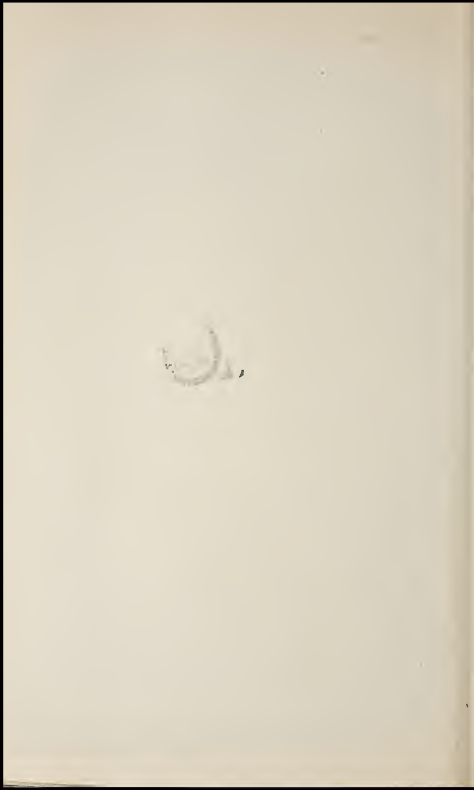
In the Kiowa, Comanche, and Apache country are situated Fort Sill and Wichita Mountains. In the Arbuckle Mountains, of the Chickasaw nation, there are numerous oil springs, and mica of the finest quality is seen towering hundreds of feet high, and sparkling in the sunlight like the towers of Jerusalem.

"If thou wouldst view fair Melrose aright,  
Go visit it by the pale moonlight."

In the mountains the wild bees are found in such numbers that they are sometimes called "Wild-Honey Mountains." One party has been known to locate and mark twenty-eight bee-trees in one day. Abun-



UNCLE SAM FEEDING "POOR LO" INDIAN.



dance of building-stone is found here, as well as all over the Territory. Throughout this region can also be found abundance of red-cedar timber. The numerous oil springs along the caddos, on the south side of these mountains, spring out of the ground and flow upon the waters below, establishing the fact almost beyond question that petroleum can be found in abundance. Gold and silver have been found in small quantities in these and the Wichita Mountains. There are numerous other springs, such as copperas, sulphur, and iron springs. To the south-east, some twenty miles, are the "Bob Love" oil springs, which are quite noted as a health resort for Northern Texas. In the Cheyenne and Arapahoe country Fort Reno is located. To the extreme north and north-west, upon the Public-land Strip, are Camp Supply, salt marshes, and Cimarron River. And to the east is the Great Salt Plain, on the Salt Fork of the Arkansas River. This Great Salt Plain (so called) comprises thousands of acres of land. The salt is formed upon the surface of the ground and along the edge of the streams. There are vast fields of beautiful, crystallized salt, which greet the eye of the traveler for miles before reaching them. The sun shining upon it nearly blinds man and beast as they approach it. It would appear as if there was salt

enough for the world, which can be had to-day for the mere cost of handling and hauling it. It is used very extensively on all the cattle-ranges. It forms in cakes as large as a wagon-box, which is broken up to facilitate the handling. In wet weather and high water there is little or no salt to be seen, but with three or four dry days it appears again upon the surface as before described, from six inches to one foot thick. It is fine in quality and of the greatest strength; and after being shoveled into wagons, is hauled to towns along the border of Southern Kansas and sold. It will in course of time become the greatest supply-point for salt in the United States.

At these Salt Plains, Lieut. Du Tisne, from the French garrison at Kaskaskia, raised the French flag September 27, 1719, and took possession of the country in the name of his king. He was the first white man to enter the Oklahoma country from the east.

If the glaring frauds, the vile and corrupt schemes of the monopolies who hold millions of dollars' worth of property in the Indian Territory, upon which they pay not a dollar's worth of taxes, could be exposed, it would furnish sufficient material to write another history. There never was a more open and glaring swindle upon the face of the American continent. It is in the interest of the rich to enrich the



rich, and all efforts by petition after petition to the capital at Washington, D. C., though sent to our representative, seems to be lost in oblivion when they reach there. They simply lie on file in the office of the Interior Department and there remain. In the meantime the poor home-seeker is thrust aside by the cold heart of these cattle-kings and their partners at Washington, and, when requested, the United States army is at their command.

The reader can readily see where the poor Indian comes in. Cattle-kings own millions of dollars' worth of property, pay no taxes, and lease their lands at two cents per acre.

Now the people, the tax-payers, have tolerated this injustice and flagrant swindle until the whole country has risen up and declared that the rights of those to whom it belongs *shall be* protected.

President Arthur's proclamation has no doubt delayed the settlement of Oklahoma, but it has only increased the demand for a final settlement of these lands, and the Government will be forced to reconsider its whole Indian policy. If this matter had been settled four years ago by a decision in the courts, the question would not have been raised as to other lands than those included in the Oklahoma district. The pressure will be steady and grow in strength and

determination to compel a final settlement of this whole Indian question. The public will not permit millions of acres of land to be gobbled up by the monopolists of the country, nor tolerate their protection by the administration, without the utmost certainty of law.



PUBLIC-LAND STRIP.

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The following is a recent report of Thomas Donaldson, one of the Land Commission on the public domain, regarding the Public-Land Strip.

"The 'Public-land Strip,' or unoccupied public lands west of Indian Territory and south of Kansas, is a part of the territory ceded to the United States by the State of Texas in 1850. The area of the 'Public-land Strip' is estimated at 5,740 square miles—equal to 3,673,600 acres. It is not attached to any judicial district. The only legislative action in regard to it is some incomplete measures, one of which was Bill S. No. 1648, Forty-fifth Congress, third session, providing for the survey and sale of said lands; also Bill S. No. 1783, Forty-sixth Congress, second session, granting to the Commissioner of the General Land-office general authority to survey public lands of the United States, islands, etc., neither of which measures have resulted in law.

"This territory remains unsurveyed and unoccupied. It is public domain, but the land laws have not as yet been extended over it for survey, sale, and disposition.

"Settlers are commencing to enter this territory, and means should be provided by which they may be enabled to secure titles under the public-land laws, and also to be protected in person and property by the laws of the land. The territory is not at present attached to any judicial district. In my last annual report I recommended that it be attached to the surveying district of New Mexico for the purpose of sub-

divisional township surveys and the disposal of the land. The land is, however, nearer the recently established south-western land district in the State of Kansas, and it would be more convenient for settlers to make their entries at Garden City, in that district, than at the Santa Fe land-office in New Mexico. I recommend, therefore, the attachment of this public-land strip to the south-western land district in Kansas; and as there is no surveyor-general in Kansas, also recommend that authority be given the Secretary of the Interior to cause the subdivisional surveys to be made under the general appropriation for the surveying service.

"By the act of Congress, approved March 3, 1881, making appropriations for sundry civil expenses of the Government for the year ending June 30, 1882, there was appropriated the sum of \$18,000 for the survey of 'correction lines, guide meridians, and township lines in the strip of public lands north of Texas and bounded on the north by the States of Colorado and Kansas.' Under this act a contract was made with deputy-surveyors, August 26, 1881, by the Commissioner of the General Land-office. The returns of these surveys were made direct to the General Land-office. In his report for 1882 the Commissioner of the General Land-office recommends 'the passage of an act to provide for attaching the lands to the Territory of New Mexico for the purpose of subdivisional surveys under the United States Surveyor-General and the disposal of lands thereafter at the United States Land-office in that Territory.'"

The miners flocked into the Black Hills and took possession by the force of numbers. There were no syndicates in the Black Hills, as there are in the Okla-

homa country, to inspire the authorities at Washington to protect the Indians in their rights. The Black Hills were the undisputed property of the Indians, but the Government permitted its subjects to take forcible and violent possession of it in open and vicious violation of treaty stipulations. If there had been a syndicate of cattle-men and government officials in the Black Hills, it would have been protected—not the Sioux Indians, but the syndicate—if it had taken the military force of the nation; and it is the syndicates, and not the Indians, that are being protected in the Indian Territory to-day. In the Black Hills it was a contest between the robbers and the Indians, and the Government espoused the side of the robbers. In the case of Oklahoma land, it is a contest between the poor home-seeker and the monopolist. The Government espouses the cause of the monopolist, on the flimsy pretense that the lands are held for specific purposes under the purchase from the Indians, in the face of the fact that Congress has decided that that specific purpose shall not be carried out.

In the Oklahoma country there is a strong syndicate, backed by the Government against the rights of its humble but respectable citizens crying only for homes for themselves and families. In the Black Hills case there was no question as to the rights of the Sioux

to their reservation. In the Oklahoma case the Government has been oscillating. There is no doubt of the right of the settlers to occupy it as public land, Had the Sioux been backed by a syndicate of traders, cattle-kings, and congressional speculators, the powerful hand of the Government would have prevented the invasion of their reservation by the shadow of the stars and stripes.

The cattle-kings, the land-gobblers, and their followers must go. Oklahoma shall be the home of the free, where, almost at the doors of the capitalist and the poor man, lies a country whose native richness invites, whose fertility will reward the honest farmer with abundant harvest, whose genial climate invigorates and promises long life at small cost to man, and succulent grasses for his cattle, almost the year round.

Throughout the temperate zones of earth the cereal-producing and grazing lands are daily becoming more sought after, and difficult to obtain by the poor man. A glance at the map of that portion of the world which has been occupied by the ever-constant westward advance of the Anglo-Saxon race shows that but little is left on the Western Hemisphere but high mountainous regions. The valleys are all occupied, and sending out their swarms of surplus people, who with the "Star of Empire" have reached

the Pacific coast; and they are again returning to the east, anxiously asking for homes. Large colonies settle down upon thousands of acres in a day—and still they come.

Through the foreign emigrant agencies and solicitors for railroad companies who have large land grants which they are desirous of disposing of in large bodies, and the Mormon missionaries who search every corner of the earth for proselytes to build up their Zion—and has already spread over the greater portion of these territories, threatening the very fundamental principles of our Government with their lepers and leprous doctrines—is it not fully time for the intelligent American citizen to demand more economy concerning his birth rights.

Our Democratic benevolence should not extend to that extreme which will menace the welfare of the most valuable portion of our people. We would not discourage or prohibit emigration from the civilized nations of the Old World, but the supply of public lands is not now so great as formerly; and we have in our midst two hundred and fifty thousand Indians under the protection of "Uncle Sam," to whom there has been allotted millions of acres of our choicest and most fertile lands.

Millions of acres of agricultural and pasture

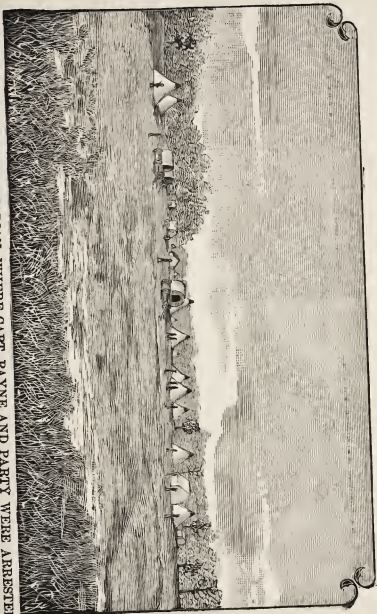
lands, not only in the Indian Territory, but outside of it, are occupied and controlled by a "favored few" white men in various ways, either under straw-leases, as beef-contractors, post-traders, squaw-men, or cattle-owners, paying no taxes on the millions of property they hold, and who gather about them an army of outlaws and desperadoes who are ready to execute their orders at a moment's warning.

The day is near at hand when this state of things will no longer be tolerated. David L. Payne, that noble martyr, has been persecuted to his death by these outlaws in his repeated attempts to settle upon the Government lands in the Indian Territory, having five different times been arrested, driven out, and then turned loose—each time demanding a trial in the courts, and as often refused, until within the last few months they have decided that he was guilty of no crime. Congress has been petitioned and memorialized time and again, but the power of the "favored few" is still hindering and delaying the honest and *bona-fide* home-seeker.

In the extreme liberality of our Government in bestowing her public lands, the throwing wide open her doors to the whole world, the large donations to corporations for various purposes, and the unreasonably large tracts of land held for Indian reservations,



CAMP ALICE, ON NORTH CANADIAN, WHERE CAPT. PAYNE AND PARTY WERE ARRESTED.





we are suddenly confronted with the fact that this country can not much longer say to the outside world that she has homes for the homeless and land for the landless for the people of all nations of the world. The extreme folly of holding millions of acres of land for Indian reservations—and used by corporations—which, if divided *per capita*, would make each individual the owner of a township of land, is a farce that has been tolerated long enough among our homeless people. Fed, clothed, and educated by the Government as the Indians are, and grouped together in small communities, they have no use for these lands beyond 160 acres each, which should be reserved for them until the time when they shall be sufficiently educated and civilized to appreciate the value of their freehold; and all that in reason could be asked for them is that they be placed upon an equal footing with the white man. These vast tracts of land are seldom visited by the tribes to whom they have been allotted, and are now the homes of the outlaw and cattle-kings, the latter reaping millions annually from their usurped privileges, which they have so long enjoyed that they now ride rough-shod over those who are not strong enough to oppose or compromise with them, holding as they are in the Indian Territory more than forty

millions acres of the best corn, wheat, and cotton land in the world, and capable of sustaining a population of five millions inhabitants. If the plow was introduced and the land cultivated, it would temper the winds from the gulf, and assure with more certainty the crops in the corn-growing country in Kansas and Nebraska.

New elements are enforcing a change of things in the old buffalo-ranges of the West. It was but a few years ago that the buffalo-grass grew upon the banks of the Missouri River; and year after year it has receded gradually at the rate of twenty miles a year, with the blue-stem following upon its retreat, until now it is nearly three hundred miles from the Missouri River to where the buffalo-grass is found.

This change is now taking place in the Indian Territory, and must put an end to the inhuman practice of wintering domestic animals upon buffalo-grass without preparing sufficient food and shelter. The Long-horn Texan scalawag must give place to the beautiful Short-horn; and within the next twenty-five years Southern Kansas, Northern Texas, and the Indian Territory will be the greatest beef-producing country on the face of the globe.

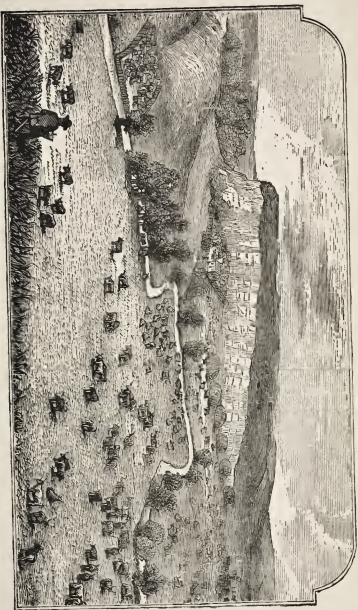
Let the people take the matter in hand and stop these long-time leases to that class of men who have

control of it, whose only ambition is to produce a beef animal that is akin to the wild antelope and buffalo. There is a concert of action among the Texas cattlemen upon what they are pleased to call a "National Trail" to establish a cattle-trail from Texas to the British Possessions, and they have a bill already prepared for that purpose, backed by a strong lobby force. It provides that the Secretary of the Interior shall appoint three commissioners to lay out by meets and bounds a trail and grazing-grounds, the trail not to exceed six miles in width and to narrow to a simple roadway in places. Grazing-grounds are to be established at intervals, not exceeding twelve miles square. When the commissioners make their report, the Secretary of the Interior is to file a map of the trail as laid out, and give public notice of its establishment; and the withdrawal of public lands contained in it from either sale, location, or settlement for a term of ten years. When this publication is made the trail is to be open at all times of the year for the driving of live stock by any firm, person, or corporation.

In view of the fact that the central portion of the Indian Territory is soon to be occupied, the people should demand of their representatives in Congress that they oppose such bill as would allow a trail

to go through the very heart of the Oklahoma country and cripple its progress for, at least, ten years. Such a trail as this would spread Spanish fever most effectually through the entire country; and it is to be hoped that the legislatures of Kansas and Colorado will investigate it, and pass such legislation as to effectually squelch it.

The grandest exhibition of "gall" that has been brought to public notice recently is the attempt of the cattle-men to smuggle a bill through Congress to give them the exclusive control of the public domain, for their own exclusive use and enjoyment. These companies are composed principally as follows: The Prairie Cattle Company, a Scotch outfit, occupying one million of acres in Colorado; the Carlyle Cattle Company (English), with general offices in London; the Wyoming Cattle Company (Scotch), head office in Edinburgh. The Marquis of Mores has upwards of two millions of acres enclosed with a good wire fence in Dakota Territory, all of which is Government land. In the Territory of Wyoming alone there are 125 corporations that have mostly enclosed their pastures; and in numerous instances where native-born American citizens have settled before and after these enclosures have been made, they have been driven out and their improvements appropriated by the foreign-



ENGLISH RANCH IN OKLAHOMA.





ers making these enclosures. And these nabobs are so serene and have so little fear of Government officials that they will fence up a mail route often, to the great annoyance of the United States mail service. There is not another nation on the face of the earth that would permit such outrages as are being perpetrated on these lands, especially by foreign trespassers. It is only when we see a few helpless and homeless native-born farmers and mechanics desirous of occupying one hundred and sixty acres each, that the strength of the Government is invoked to evict them. Due notice is hereby given to our so-called representatives in Congress, at Washington, that we, the sovereign people, who live in close proximity to where these glaring impositions are practiced, have endured them as long as we can. We weep bitterly to see the old flag borne by hands that are in sympathy with the settlers, but are bound to obey the orders of brainless superiors.

The third article of the treaty of 1866 with the Creek Indians (14 Stat. page 786) provides that "In compliance with the desire of the United States to locate their Indians and freed-men thereon, the Creeks hereby cede and convey to the United States, to be sold to and used as homes for such other civilized Indians as the United States may choose to

settle thereon, the west half of their entire domain, to be divided by a line running north and south." And now what a wonderful crime some of our people see in Congress giving this country to civilized people other than civilized Indians? It has never been held in Congress that they were *obliged* to settle this country with civilized Indians. Oh, no, they have even so far departed from that policy as to propose to settle it with freed-men; also have granted large bodies of land to railroad companies. What would be the result if the Creek Indians had the power to compel the United States to carry out to the letter the stipulations of that treaty? Where are they to get the Indians, either civilized or uncivilized? The supply is not within their reach, unless they could import them from the British Dominions; and even then, after procuring all the Indians under her Majesty's protection, there would be millions of acres of unsettled land in the Indian Territory.

It is a well-known fact that the Indians are favorable to the settlement of the lands by the whites, and that they claim no interest whatever in Oklahoma, and would much prefer seeing it settled by white men than by negroes or strange Indian tribes. We ask again, where are the Indians to come from? What Indians are destitute of homes? So anxious have

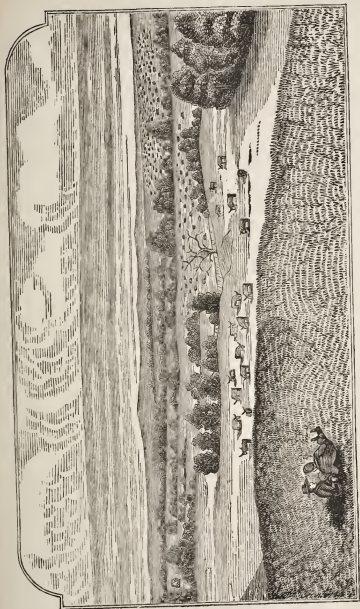
some philanthropists become that they have attempted to have this Oklahoma country occupied by Indians, and have made repeated attempts to get some small remnants of tribes to extend their territory so as to embrace the entire Oklahoma country. Among those that have been solicited to extend their already large dominions are the Poncas, Nez Perces, Iowas, and Kickapoos. The entire numerical force of these four tribes is not equal to the Johnsons and Smiths in a single county in some States. So if some band of Indians, numbering all told fifty souls, could get this country allotted to them, it would be received as perfectly right and just by the average New England Congressman and the favored few who happen to be related to the military or civil branches of our Government. They would proceed at once to get a post-trader's permit and a ten-year lease, and in a short time would be comfortably fixed, with an army to guard them, a quarter-master's department to feed them, and Government mules to transport them, and thus enjoy their lovely herds upon a thousand hills and among the beautiful valleys, with *no taxes to pay*. What can be more serene? What can be more lovely?

## THE ROUTE TO OKLAHOMA AND ITS BOUNDARIES.

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In the earlier days the Oklahoma colonists were accustomed to leave the State of Kansas at Coffeyville, in Montgomery County; later at Hunnewell and Caldwell, in Sumner County, Kansas. But the newest and most practical route is from Arkansas City, in Cowley County, at the terminus of the A., T. & S. F. Railroad, south of Wichita, the distance from Arkansas City and Hunnewell to Oklahoma City being about the same.

In order to give the boundaries of the Oklahoma country proper, and as a starting-point, we will commence at the north-west corner of the Creek nation, thence due west about one hundred miles to the Red Fork of the Cimarron River, and sixty miles south from the Kansas State line and west of the 98° of longitude, west from Greenwich, and on the 180th meridian; thence in a south-easterly course along the meanderings of said river to the 98° of longitude; thence due south to a point on the north side of the Canadian River; thence in a south-easterly course along the meanderings of said river to the Indian meridian; thence due north on the Indian meridian to the North



SCOTTISH RANCH IN OKLAHOMA.



Fork of the Canadian River; thence south-easterly along the meanderings of said river to the west line of the Sac and Fox reservation; thence due north to the Red Fork of Cimarron River; thence north-easterly along the meanderings of said river to the west line of the Creek nation; thence north to the place of beginning.

These boundaries contain the lands that belong to the Oklahoma country—to which there are no disputed rights, except as public lands—and contains about 14,000,000 acres of land.

The Kickapoo and Iowas, by an Executive order, August 15, 1883, had a reservation set off to them from what is claimed as Oklahoma land, which they have leased to cattle-men. The cattle-men, interceding through their usual course, procured at Washington these reservations in the name of the Indians, but in fact for their own use and benefit. These reservations contain about 108 square miles, or 69,120 acres of fine land, and well watered. It is the same with the lands occupied by the Nez Perces, Poncas, Otoes, and the Missourias, which can be seen by glancing at the map of the Indian Territory, that it is the balance of the Oklahoma country that these cattle monopolists are seeking to set aside for Indian reservations

that is causing all the delay in opening up Oklahoma for settlement.

The trail from Arkansas City leads in a south westerly direction about twenty miles, thence south through the Nez Percé reservation on the Salt Fork of Cimarron River, thence through the ceded lands of the Cherokee nation, running along a divide to the north line of Oklahoma proper. The country is inviting. It has numerous streams, hills, and valleys and large tracts of timber. Its beautiful site on a gentle, symmetrical eminence overlooks the wooded bottom-lands of the valley beyond for miles. The delicate wild flowers grow in the open air. Rose hedges, fuchsias, and heliotropes often gladden the eye at Christmas and New-year's. The earliest traveler through this country, Don Diego Dionisio de Penalosa, who traveled from Santa Fe to the Arkansas River in 1662, on March 6th of that year thus describes it:

"Through pleasing, peaceful, and most fertile fields, that in all the Indies of Peru and New Spain nor in Europe, have any such been seen so pleasant and delightful, and covered with buffalo or cows and Cibola, which caused notable admiration. The further we entered the country the greater was the number, with many and very beautiful rivers, marshes and springs, studded with luxuriant forests and fruit trees of various kinds, which produce most palatable plums, large and fine grapes in great clusters and of extremely good flavor, like those of Spain, and even



better. Many mulberry-trees to raise silk, oak, evergreen oak, elm, ash, and poplar trees, with other kinds of trees, with useful and fragrant plants, clover, flax, hemp, marjoram high enough to hide a man on horseback, abundance of roses, strawberries without end, small but savory, many Castilian partridges, quails, turkeys, sandpipers, pheasants, deer, stags or elk in very great numbers, and even one kind of them as large and developed as our horses. Through these pleasant and most fertile fields we marched during the months of March, April, May, and the kalends of June, and arrived at a large river which they called Mischipi."

Upon the divides is not the best of agricultural lands; but it is covered with bunch-grass, which grows luxuriantly and lies in great profusion all over the ridges, and cattle are seen grazing in all directions. On these divides the face of the country is broken and scarce of timber, making a region particularly adapted to raising sheep, an industry that has reached immense proportions throughout Southern Kansas and Texas; and, owing to the mild climate, good water, and the self-cured bunch-grass, it is claimed by old sheep-growers to be the best sheep-raising country in the world.

One of the many streams is Beaver Creek. There is a good camping-ground. The stream has a deep channel and very precipitous banks, with clear and pure water; and one can see the perch and sunfish at

a depth of four or five feet in this stream, which abounds in fish. The banks of this stream are so high that crossing with wagons is only effected by the use of ropes in roping the wagons down its steep banks. From this point the trail angles around Cedar canyon, a deep gorge that empties into the Cimarron River. And in traveling along this trail you pass through in the midst of the black-jack or jack-oak hills, a thick jungle of small, stunted oak-trees, with many branches spreading out in every direction, and covering thousands of acres of uplands, covered in the fall with acorns or mast, forming an almost impassable barrier to man and beast, though abounding in bear, deer, elk, and other game. There is also a feature pertaining to these black-jack lands which seems strange to one unacquainted with the character of the country, and that is, the soil is of a soft and alluvial nature, reddish color, and can be disturbed with the foot as easily as a bed of sand. It is from these black-jack regions that the timberless country of Southern Kansas has drawn its supply of wood and fuel for many years past. Following this trail for a distance of about five miles you come to Payne's Ford, upon the Cimarron River. The water of this river is salty, coming as it does, from the salt basins lying in the north-west part of the Territory.

It is without banks in a great many places, and low banks in others. It is about five hundred feet in width and from one to three feet in depth, and similar, in many respects, to the Arkansas. Upon this river are found, during the winter season, myriads of wild geese and ducks. Then, passing along about two miles further, you come to a fine spring of water among the cedar groves, and which is a very desirable camping-place—around which can be found unusual quantities of game. Deer and turkey are numerous; while small game, such as grouse and quail, can be found in the greatest quantities.

Then as you advance the timber grows larger and of a better quality, until you come to Council Creek, a nice little stream fed by springs. Soon after leaving this place you begin to descend along the valley of a small stream, a tributary of the Canadian River. The country from here to the Canadian River is grand and picturesque, possessing all the advantages of good water, rich bottoms, and fine, large timber—such as white-oak, ash, hickory, walnut, etc. Continuing on you cross the Deep Fork, the banks of which are very high and the stream narrow. The valley of the Deep Fork is very wide, and soil rich and fertile, with a most luxuriant growth of blue-stem grass. Crossing over the divide you come within

sight of the Canadian River. The scene is most magnificent, and is greeted by the colonists with gladness and a spontaneous cheer that should be heard in Washington.

For miles through dense, hilly forests, then you strike the rich, billowy prairie—indeed a “beautiful meadow,” as the Indian word signifies.

“Stretching in airy undulations far away,  
As if the ocean in its quietest swell  
Stood still, with all his rounded billows  
Fixed and motionless forever.”

Bryant describes with exactness the rolling prairie. It is like a swelling sea over which a magician's wand has stretched, transforming it instantly, and holding it in bondage evermore.

Glancing over thousands of acres covered with tall grass and dotted with groves, it appears the perfect counterfeit of cultivated fields and orchards. One can hardly persuade himself that he is not scouring a long-settled country, whose inhabitants have suddenly disappeared, taking with them houses and barns, and leaving only the rich pastures and hay-fields. Wagon-roads, revealing the jet-black soil, intersect the deep green of graceful slopes, where moves tall prairie-grass with wild flowers of blue, purple, and yellow. Hundreds of acres of these

blossoms predominate, making the earth blue or yellow instead of green. In the spring bloom the flowers of modest, delicate hues; in late summer those of a deep, gorgeous color flame; and in early autumn nature revels in beauty for beauty's sake alone.

Stretching away as far as the eye can reach lies a level and most beautiful plain, covered with thick growth of vegetation and fragrant flowers, nude of timber or brush, and ready for the plow, until you reach the river-banks, which are skirted with large, fine, and straight timber, consisting of walnut, oak, ash, beech, hackberry, hickory, etc. The soil is black and loamy, and of so arable nature that two horses can plough it with the greatest ease. It seems like a dream to stand and view the landscape o'er. The enchantment of the place is inspiring. It is Oklahoma! Here is the Mecca where the long-suffering and struggling pilgrims have tended. The whole country up and down the Canadian River is instantly recognized by the tired and weary home-seeker as the promised land he so long has sought.

On the Canadian River there will be a great wine-producing country, not excelled by California. There are millions of acres that are well adapted to vine-growing, or more than double the area of all

the vineyards of France. The mellow lines of Longfellow are not merely the poet's fancy, but literal truth :

“For richest and best  
Are the wines of the West  
That grow by the beautiful river.”

The next generation will see the Canadian and Red River country the Rhine of America. This country will also grow fruits of all kinds.

When the colonists reached this river, they selected a spot on the north side of the Canadian, opposite Silver City, which is located in the Chickasaw nation, and did there offer up thanks to the Supreme Ruler of the universe—in the way of a grand barbecue—where they, after the appropriate devotional services, fell to and enjoyed a huge and bountiful repast of buffalo, deer, antelope, turkey, wild hog, bear, opossum, etc.









## WILD GAME, FISHING, HUNTING.

Among the game that is found in the Territory are the wild horse, mountain-lion, bear, deer, wolves, panther, antelope, wild boar, red and gray fox, raccoon, wild cat, opossum, mink, otter, wild turkey in great numbers, prairie-chickens, quails, jacksnipe, rice-birds, and many others. The streams abound in fish, such as crappie, bass, salmon, red-horse, perch, eels, sunfish, suckers, and the classical cat-fish, which affords great sport and enjoyment with the rod. The Territory is famous for its hunting and fishing grounds not only by the Indians, but also by the white man.

The distance from Arkansas City by this trail to Ponca is 30 miles, to Otoes 33 miles, to Black Bear Creek 55 miles, to B. & M. Ranch and Ford on the Cimarron 90 miles, and to Wells's Store on the Canadian River 130 miles. These distances are given by straight lines. The actual measurement of the road as traveled by all its windings and meanderings is much more. There are immense ranches all along the route, and even the town-site of Oklahoma is enclosed in as a pasture. Still it is claimed at Washington that no white men or cattle are allowed upon



JACKSON AND JUMBO FISHING WHILE COLE COOKS A  
SQUARE MEAL.

this most sacred ground. One of the town-sites is Nugent. It is situated on the North Fork of the Canadian River, 18 miles east and 6 miles south of Fort Reno, and south of the third standard parallel. It lies on the north side of the river, and is sometimes called "Johnson's Grove." There has been erected here several houses, and the town-site surveyed and platted and located on sections 31 and 32, in township 12, north of range 4, west of the Indian meridian, containing in all 1,280 acres. This will be one of the towns when Oklahoma becomes a state. The country around this town comprises a beautiful and fertile valley, all of which is regularly surveyed and laid out in townships and sections. A good many quarter-sections have been located, ploughed, and cultivated by the colonists. Timber is abundant; clear water, and climate pleasant. Twelve miles east and on the north side of the North Fork of the Canadian River is situated Oklahoma City, which is regularly laid out, surveyed and platted, and containing four sections of land, or 2,560 acres, being sections 11, 12, 13, and 14, in township 11, north of range 3, west of the Indian meridian. The country around Oklahoma City is similar to that surrounding Nugent, containing plenty of prairie land, timber, and water. In this locality several hundred of Payne's colonists

have located their future homes, no person preëmpting more than 160 acres each. Many have built houses, stables, corn-cribs, and corrals, and other improvements necessary in a new country. So rich is the soil in this section that, had the colonists been undisturbed for one season, they could have raised sufficient to make them self-sustaining. The land here is so rich and fertile that the first plowing will yield more than the richest lands in Kansas.

It is no experiment what these lands will produce, as they have been cultivated by outsiders in violation of all known laws. All along the Cimarron and North Fork of the Canadian River to the Red River, cotton, corn, and wheat fields, scattered here and there, evidence the producing qualities of this soil.

Six miles north and eight miles east of Oklahoma City is situated Ewing City. It is located on the south side of the North Fork of the Canadian River, in a valley of the very finest land within the reach of man, covered with a heavy growth of walnut, sycamore, and cottonwood trees, and on the rising ground with pin-oak. Ewing City is 96 miles south and 12 miles west of Arkansas City, and 40 miles almost due east of Fort Reno; also 6 miles west of the location of Kickapoo Indians, located by Executive order, Aug. 15, 1883. At Ewing City, as at other towns, the site has

been regularly laid out, surveyed and platted, and is situated upon section 20, in township 13, north of range 1, west of the Indian meridian, containing only 160 acres. Farms have been located all around the town-site, and improvements have commenced, and at one time everywhere busy workmen were plying axe, hammer, and saw, and the voice of the artisan was heard in the land. Whittier must have stood on some similar spot when he wrote :

“ Behind the squaw’s light birch canoe  
The steamer rocks and waves :  
And city lots are staked for sale  
Above old Indian graves.       ”

“ I hear the tread of pioneers  
Of nations yet to be—  
The first low wash of waves where soon  
Shall roll a human sea.

“ The rudiments of Empire here  
Are plastic yet and warm :  
The chaos of a mighty world  
Is rounding into form.”

To the north-west of Ewing City about ten miles is the Deep Fork, a tributary of the North Fork of the Canadian River, where is located the homestead selected by Capt. David L. Payne. It is a most beautiful spot. The country around is skirted with splendid timber—black-walnut, hickory, oak, hackberry, and sycamore—and reminds one of early days along the Sangamon



River in Illinois and the Wabash River in Indiana, leaving out the marshes. He settled on a claim of 160 acres and no more, the same as the rest of his followers.

The towns and the country about them were surveyed by Mr. E. A. Reiman, of Wichita Kansas the colonists, regular surveyor. Mr. Reiman was at one time Vice-President of the colony, during Capt. Payne's administration. The towns and lands were surveyed by him during the years 1878 and 1879.

Starting at Arkansas City, Capt. Couch in his recent pilgrimage went nearly due south, crossing nearly all the same streams as Capt. Payne; but keeping farther east, passed through the Poncas', Otoes and Missouriias' reservation, so called. The Nez Perces, Poncas, Otoes and Missouriias, all told, on these reservations, do not number seventy-five people, yet by an Executive order these lands—which are beautifully located as to water and grazing—were set off to them, through the usual course of the ring process, so that leases could be obtained from the tribes. The distance from the Kansas line is eighteen, and farthest thirty-six miles.

Passing through these leased lands, he bore steadily southward until he reached Stillwater, where he and his followers were starved out, as previously

described. Stillwater is due south of Arkansas City and sixty-five miles from the Kansas line, and fifteen miles in from the north line of the Oklahoma country, where they laid out and platted a town, and sought to establish a newspaper upon Oklahoma ground.





## THE OSBURN COLONY.

The colonists since the days of their first organizations have had several publications, such as "Oklahoma War Chief," edited by Wm. F. Gordon at South Haven, Kansas; "The Oklahoma Pilgrim," edited by W. H. Osburn at Burrton, Kansas; and "The Oklahoma Chief," edited by S. J. Zerger at Arkansas City.

The following is the new Constitution of the Osburn Oklahoma Colony:

For the purpose of effecting more thoroughly the aims, objects, and purposes of the members of Osburn's Oklahoma Colony, and of maintaining more perfect harmony—and of more especially defining and setting forth the duties and requirements of the members thereof, and the rules by which they are to be governed—they have adopted the following Constitution, to which they each pledge a faithful and hearty support:

*CONSTITUTION.*

## ARTICLE I.

## NAME.

This Colony shall be styled and be known as The Osburn Oklahoma Colony or Petitioners to Congress.

## ARTICLE II.

## OBJECT.

The object of this Colony shall be the settlement of the Government land known as the Oklahoma Lands.

## ARTICLE III.

## MEMBERSHIP.

SECTION 1. Every person twenty-one years of age and of good moral character shall be eligible to membership in the Colony by complying with section 2 of this article.

SEC. 2. Every person desirous of joining this Colony and becoming a member thereof shall pay to the Secretary or agent thereof the sum of two dollars (\$2.00).

## ARTICLE IV.

## OFFICERS.

The officers of this Colony shall be a President, Vice-President, Secretary, Treasurer, Colony Surveyor and Engineer, together with a Board of Directors, consisting of five members, which said Board shall be elected annually by ballot at a meeting of the Colony held for such purpose on the 6th day of February in each year.

## ARTICLE V.

## POWERS AND DUTIES OF OFFICERS.

SECTION 1. Of the President. The President shall be the chief executive officer of the Colony, and as such shall at all times, in a proper manner, make an honest effort to carry into effect the provisions and requirements of this Constitution and all laws, rules, and ordinances made by virtue and authority thereof.

He shall preside at the meetings of the Colony, and as their presiding officer shall be President, and controlled by the customs and usages of other well-organized deliberative assemblies. He shall have the power of appointing committees the appointment of which is not otherwise herein provided for. He shall not be permitted to vote upon any motion, question, or resolution that may be before the Colony at any of its meetings, except when there shall be a tie, when he shall give the casting vote. He may, however, address the meeting upon such question; but for such purpose must vacate the chair and take the floor, his chair in the meantime being filled by some one appointed.

He shall sign all warrants or orders upon the Treasurer for the payment of money, all proclamations calling a meeting of the Colony; and while pre-

siding at a meeting shall maintain and enforce proper order, dignity, and decorum.

SEC. 2. Of the Vice-President. The Vice-President shall aid and assist the President in the discharge of his official duties, and, in the absence of the President, the Vice-President shall discharge the duties of the President.

SEC. 3. Of the Secretary. The Secretary shall keep a correct record of the proceedings of each meeting; conduct the correspondence of the Colony; attest all orders or warrants drawn upon the Treasurer for the payment of money, after the President shall have signed them; attest all proclamations or other official orders; shall affix to all official papers the Seal of the Colony, and be the custodian of such Seal.

He shall also be keeper of the rolls, and shall receive all moneys paid to the Colony, paying the same over to the Treasurer at once, taking that officer's receipt therefor.

SEC. 4. Of the Treasurer. The Treasurer shall receive from the Secretary all the moneys of the Colony, and safely keep the same, paying out no portion thereof except upon the written or printed order or warrant, drawn upon him, signed by the President,

attested by the Secretary, and having affixed thereto the Seal of the Colony.

He shall execute a bond conditioned for the faithful performance of his duties, as defined in this section, in the sum of five hundred dollars (\$500.00), to be approved by the Board of Directors.

SEC. 5. Of the Board of Directors. The Board of Directors shall be and constitute a Board of Audit, and shall audit in general business all accounts of every kind for the Colony.

SEC. 6. Of the Colony Surveyor and Engineer. It shall be the duty of the Surveyor and Engineer to make any and all necessary surveys for any member of the Colony, to make plats and maps of the lands occupied by the Colony or that may become occupied by additional members of the Colony, and such maps and plats with a true record of all his surveys shall be kept on file in the office of the Secretary of the Colony; and his compensation shall be paid by the member of the Colony for whom such services shall have been rendered.

## ARTICLE VI.

### MEETINGS.

There shall be a meeting of the Colony on the last Friday, at 2 P. M., of each and every month, for

the purpose of attending to the general interests of the Colony.

There shall also be held an annual meeting for the election of officers, the annual settlement, and settlement of all business with officers, and for the purpose of preparing the annual report of the Colony, which said annual meeting shall be held on the first Friday in February of each year.

## ARTICLE VII.

### VACANCIES AND HOW FILLED.

Whenever, through any cause whatever, an office becomes vacant, the President upon being notified thereof shall appoint some suitable member of the Colony to such vacant office.

## ARTICLE VIII.

### TERMS OF OFFICERS AND ELECTIONS THEREOF.

The term of each and every officer of this Colony shall be and continue one year, and until their successor shall have been duly elected and qualified.

## ARTICLE IX.

### ASSESSMENTS.

Assessments not exceeding ten (10) cents *per capita* of the membership of the Colony may be made by a majority vote of the members present at any

meeting, but thirty days' notice of such assessment must be given each member of the Colony by the Secretary.

## ARTICLE X.

### REMOVAL OF OFFICERS.

Any officer may be impeached by a two-thirds vote of the Colony.

## ARTICLE XI.

In case of two members laying claim to the same tract of land, said members shall abide by the decision of an arbitrary committee elected by the Colony.



The following is a new Certificate of Membership in the "Osburn Oklahoma Colony":

W. H. OSBURN, President.  
E. A. REIMAN, Vice-Pres't.

C. P. WICKMILLER, Sec'y.  
E. H. NUGENT, Treasurer.

No. ....

**CERTIFICATE OF MEMBERSHIP**  
—In Osburn's Oklahoma Colony.—

*In consideration of the payment of Two Dollars*  
*this ..... day of .....*

188 , Mr. ....

*is entitled to the benefits to be derived from this Colony,*  
*having a voice in all its business. In testimony whereof*  
*the Secretary attaches the Colony Seal.*

..... Secretary.

..... President.



## GEN. POPE'S ORDERS.

“HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
ASSISTANT ADJUTANT-GENERAL'S OFFICE,  
FORT LEAVENWORTH, KAS., June—, 1880.”

“SIR,—Under the proclamation of the President of the United States, dated Washington, D. C., February 12, 1880, of the orders of the General of the army, the duty of removing from the Indian Territory all unauthorized persons who have intruded into it, and preventing the intrusion of others, devolves upon the troops in this department. The following sections of the Revised Statutes of the United States prescribe the duties, and define the powers and mode of exercising them, of troops engaged in this duty.

“SECTION 2147. The Commissioner of Indian Affairs is authorized and required, with the approval of the Secretary of the Interior, to remove from any tribal reservation any person being therein without authority of law, or whose presence within the limits of the reservation may, in the judgment of the Commissioner, be detrimental to the peace and welfare of the Indians; and may employ for that purpose such force as may be necessary to enable the agent to remove such person.

“SEC. 2150. The military forces of the United States may be employed in such manner and under such regulations as the President may direct:

“1. In the apprehension of every person who may



be in the Indian Territory in violation of law, and in conveying him immediately from the Indian country by the most convenient and safe route to the civil authority of the Territory, or judicial district in which such person shall be found, to be proceeded against in due course of law.

“2. In the examination and seizure of stores, packages, and boats unauthorized by law.

“3. In preventing the introduction of persons and property into the Indian country contrary to law.

“4. And also in destroying and breaking up any distillery for manufacturing ardent spirits set up or continued within the Indian country.

“SEC. 2151. No person apprehended by military force under the previous section shall be detained longer than five days after arrest and before removal. All officers and soldiers who may have any such person in custody shall treat him with all the humanity which the circumstances will permit.’

“In performing the duties thus imposed upon them, the troops must remember that many of the intruders are probably not guilty of any intention to violate law, but have been deceived by the statements of designing persons, who, for their own advantage, have sought to convey false notions of the state of the law bearing upon the subject; and while the law must be enforced and all intruders removed from the Indian Territory, still the less violence or harshness used in the matter the better. All persons who are met outside the limits of the Territory, and designing to enter it for purposes of settlement, must be warned of the illegality of such action and of the inevitable consequences of pursuing it, and induced, if possible, by persuasion and

advice, to abandon their project. All persons who have intruded within the Territory must be escorted outside the Territorial line, with as little harshness and discourtesy as may be, and warned not to return. Those intruders who, having been once removed from the Territory, are found again trespassing, will be dealt with as provided in section 2150 of the R. S. By command of

BRIG. GEN. POPE.

E. R. Platt, Assistant Adjutant Gen."

It having been rumored at Fort Reno that 120 wagons were *en route* to this crossing of the Cimarron Lieut. Day was ordered to form a permanent camp here by the 26th. He found a party on the old Chisholm trail, and put them under arrest. Several of them claimed to be "freighters," but one wagon had a plow in it which had been lately used, and looked much as if used in Oklahoma soil. Another outfit were "prospecting; just wanted to see the country; had nothing to do with the boomers; never saw Capt. Payne; wanted to be let alone," etc. But one man out of all the men arrested by Lieut. Day admitted himself to be a Payne boomer. All the others professed to be on legitimate business, but had no legal permission or documents to exhibit in proof. Nearly every one thus arrested persistently refused to give his name. Two intelligent men, claiming to be from Arkansas City, say they were at John Miller's ranch,

on Cottonwood, endeavoring to arrange for pasturing some large herds. They had been informed that Miller had more inclosed land than cattle, and wanted to sublet a portion of his pasture, which is said to be seventeen miles square, or something over 500,000 acres. Mr. J. T. Moore says B. H. Campbell told him that he had over 1,500 head of cattle on Deer Creek, a tributary of the Cottonwood, and that he had a written permit from Secretary Teller to keep them there. Lee and Reynolds have a pasture inclosed near this camp, extending along the Cottonwood, which is said to be about 125 miles square, and well inclosed by wire fence.

Cottonwood is lined on both sides with fine ranches from the Cimarron nearly to its source, and they all have good log-houses and corrals. Some of them have been here for two or three years. This is all in the Oklahoma country. Deep Fork and part of the Lower Canadian is similarly taken by squatters on pretended leases or letters of authority. Southern Oklahoma is heavily timbered, and filled with thousands upon thousands of cattle, held there by outside owners in violation of all known laws or regulations on that subject. The Interior Department owes it to itself to deny these ugly accusations of favoritism, if it can. The department is powerless, as there are

living facts, and a visit to this county will show. We could furnish the names of actual occupants of this Oklahoma country, confessedly not belonging to any Indian tribe from which leases might have been obtained ; unless the Interior Department act upon it, and unless it can show conclusively by negative proof (which it can't) that partiality and discrimination have not been used in granting permission to these men to remain there. Oklahoma colonists have scarce commenced. This organization and others to follow will gain in such strength as to defy the authorities, as they did at Deadwood some years ago. This it is not expected will be necessary, as this administration will open the way to peaceful settlement it is hoped.

The people will not stand it much longer. Is there a human power so great that another power can not be found nearly as powerful ?

When the people of the North said there should be no North, no South—at the cost of millions, and valuable lives—their command was obeyed. Mighty empires have fallen, great railroad kings and mighty corporations, and is it not time that the cattle monopolists meet their Waterloo, or stand on equal footing with other producers and beef-raisers of the country in which they live. Why should they be protected from taxation under a false guise of helping the

poor Indian, by leasing his lands at two cents an acre?

Mr. President, Senators, and Members of Congress, you do not believe they should, and the sooner you show your constituents your honesty of purpose, the sooner the suspicion of the people will be allayed.

There are large herds of cattle owned in the different States, upon which taxes have to be paid, while those in the Territory pay none, and are thus enabled to bull the beef market in order that State cattle-men may live; otherwise State cattle-men would be obliged to go out of the business. The fact is, that, at the present price of beef, State cattle-men can live; while the Indian Territory men grow rich in tenfold, pay comparatively nothing for the use of their grazing-lands, and have no capital invested in such lands; pay no taxes, and have the advantage of a salubrious climate and feed the year round, without extra cost above the two cents per acre. Whenever the beef market is dull, these mighty kings withhold their stock from the market until there is such a demand that certain prices can be realized. And the poor man is obliged to pay full prices, as if there were really a scarcity of beef, when, in reality, it is only the withholding of the mighty herds from market by the cattle monopolists.

## Newspaper Comments on Oklahoma and the Indian Territory.

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### HOW CATTLE-LEASES ARE OBTAINED.

(From the New York Sun.)

Some of the Washington authorities seem to be very much in the dark about the rumor that three million acres of the Crow reservation are to be leased for grazing, at the extremely moderate rate of one cent an acre.

It may be remembered that at the last session of Congress, Senator Vest, learning that the cattle of white men had been put on this reservation, introduced a resolution asking Secretary Teller whether the Indian agents had been concerned in the business. The resolution was adopted, but no reply ever came from the Interior Department. Possibly, however, the resolution has at least forced the cattle-men to try to cover their proceedings by a regular lease. Many of the citizens of Montana have sent protests against this proposed contract, which, they say, is managed by a syndicate of Colorado capitalists. The signers of the protests maintain that, while nearly all the Crows are opposed to lease, a majority have been



induced, by threats, misrepresentations, and bribes, to give their written consent to it.

Section 2,116 of the Revised Statutes forbids "the purchase, grant, lease, or other conveyance" of lands of any Indian tribe without the authority of the Government :

"Any person who, not being employed under the authority of the United States, attempts to negotiate such treaty or convention, directly or indirectly, or to treat with any such nation or tribe of Indians for the title or purchase of any lands by them held or claimed, is liable to a penalty of one thousand dollars."

This penalty, it is true, might be cheerfully paid for the privilege of surreptitiously getting a long lease at one cent an acre. Besides, it might be held that procuring such a lease without previous authority is lawful under the following clause of the agreement ratified with Crows on April 11, 1882 :

"If any time hereafter we, as a tribe, shall consent to permit cattle to be driven across our reservation or grazed thereon, the Secretary of the Interior shall fix the amount to be paid by parties so desiring to drive or graze cattle."

Still, in any event, the final responsibility for thus fixing the rent is with the Interior Department ; and it is accordingly desirable that this department



C. M. B. Co. N. Y.

should thoroughly understand what is going on among the Crows, and what a proper rental would be. Mr. Vest's information goes to show that the alleged lease has been extorted through the influence of the local Indian agent and of some whites at Fort Custer.

The leasing of Indian lands for grazing has now become a very important matter. The Revised Statutes, as we have seen, directly prohibit any such leasing by persons not employed by the United States. Nevertheless, statistics of the Interior Department show that there are now leases of 3,117,880 acres of land in the Indian Territory. Secretary Teller has said that he can not approve these leases, because they are contrary to law, yet he will protect the lessees in their enjoyment. This is the language of an official letter written by him on the subject:

"While the department will not recognize the agreement or lease you mention, nor any other of the like character, to the extent of approving the same, nor to the extent of assuming to settle controversies that may arise between the different parties holding such agreement, yet the department will endeavor to see that parties having no agreement with the Indians are not allowed to interfere with those who have."

Thus by gradual steps the Government has

come to the point of using its entire military strength, if need be, to enforce the sanctity of leases that are expressly forbidden, under penalty, by its own statutes.

What makes the matter still stranger is that some of these leases appear to have been obtained by reprehensible methods. A letter on file in the Interior Department, coming from Vinita, makes a grave charge about one such agreement:

"It was gotten through by the most corrupt and vile schemes, in order to allow a monopoly to enrich themselves, for which privilege they did not spare any money about our Council. Could the inside of the scheme be seen through—and it can—I dare say no more vile a swindle was ever perpetrated upon our people. Five times the amount could have been realized for the lands if our Council had gone at it in a proper way."

The general truth, however, does not depend on the facts, whatever they may be, of this particular instance. And it would be a mistake in any case to jump to the conclusion that leases of Indian lands are necessarily injurious to the rights of the red men. On the contrary, they are to be regarded as a very important source of tribal income. Not only is the chief wealth of the Indians in their lands, but

many tribes, or bands, have much surplus lands that ought to be turned to account. The Interior Department, however, should superintend the making of such leases. It should also protect the interests of the Indians, instead of allowing secret bargains to be arranged by private citizens and corporations, which the department afterward ratifies.

### CHEATING THE INDIANS.

(From The Chicago Tribune.)

The land scandals of this country threaten to take on as intense a form as those of older countries. The revelations now being made by the investigations of the leases of Indian lands only add another chapter to the story of the misappropriation of our public domain. As we approach the time at which the arable land of the West will be exhausted, the efforts of powerful individuals and syndicates to get possession by any means, lawful or unlawful, of the choice portions that remain, become more determined. The reservations held for the Indians, and dedicated by law and treaty to their sole use, are passing in huge blocks into the control of cattle companies. Here, for instance, in the Indian Territory is a little piece called the Cherokee Strip, which is 200 miles long and 56 miles wide, and is leased to one cattle com-

pany for about one-fifth of its real value. Right across the westward path of the settlers seeking farms are now stretched the barbed-wire fences, some of them scores of miles in length, of cattle companies who are grabbing the lands that belong to the people. The acts granting lands to the Pacific roads, provided that all land not sold at a certain time should be open for settlement; but in contravention of this explicit provision of the law, these lands are still held by the corporations, and poor men who want to buy them are compelled to pay from three to ten times the price at which they would have a right to obtain them from the Government if the law had not been nullified.

The circumstances which are being brought to light with regard to the leases of the Indian lands are perhaps the most striking instance which has yet been afforded of the way in which government of, by, and for the people can be turned to the disadvantage of the people. The laws of the United States, proceeding on the perfectly obvious principle that the Indians are unfit to protect their own interests, forbid any negotiations "for the purchase, grant, lease or conveyance of lands or of any title or claim thereto from any Indian nation, or tribe of Indians, unless the same be made by treaty or con-

vention, entered into pursuant to the Constitution." The law specifies in full detail how such convention shall be made. It provides that no one shall make any such arrangement unless employed under the authority of the United States, fixes all the procedure when such agreements are so made, provides heavy punishment for persons carrying on such negotiations without authority. But notwithstanding the clear and full declarations of the law in this country, it is now ascertained that more than 6,000,000 acres of the finest grazing and farming land in the far West have been leased by persons without authority. A resolution from the Senate asking the Secretary of the Interior whether the Indian agents had any part in these illegal bargains was ignored by the Secretary, who never answered it. The Secretary of the Interior, knowing as he must have done that these leases of Indian lands were contrary to the law, and that they invited penalty instead of approval has given them his tacit sanction, and the assurance that these violations of the law, and the trespasses on the Indian lands, shall be protected.

If the Indians hold land that they do not need, and which should be put to use—which is the fact—it should be the public, and not a few cunning, grasping cattle syndicates, that should have the preference.

Every illegal lease should be at once rescinded, and trespassers under it should be evicted, by the use of military if necessary. When the Government has obtained, by a proper negotiation with the Indians, access to such lands as they do not need, the arable land should be open to settlement by *bona-fide* farmers, and the grazing-land should be disposed of by public competition to the grazers who would pay the highest price for them. This is the honest and straightforward way to deal with the Indian lands. The scandals which are already more than hinted at in connection with what has been done are the natural fruit of an opposite policy.

### TREATIES OF MARCH AND JULY, 1866.

(From the Wichita Beacon.)

As to the rights of the citizens upon these lands there is not now even the shadow of a doubt. If there had been, the decision of Judge Foster would have set it at rest; but we have in furtherance of his decision, and what probably helped him to his opinion, the fact that there never was a tribe or a single Indian (notably here the action of the Government in removing the Cherokees who sought to settle the quarter-section of land across the line of the Indian Territory from Hunnewell, wanted by the railroad



company) that owned or had a title (in fee-simple) to one acre of land west of 96°. The only claim the Indians ever did possess was that of a "hunting permit," or, as was termed in the treaty of 1828, an outlet as far as the then possessions of the United States went, or to Mexico. Through the oversight of the Interior Department, the United States Government treated for certain lands claimed by the Chickasaw, Choctaw, Seminole, and Creek Indians in March, 1866. The Interior Department treated for the lands with the view of locating other Indians and freed-men thereon, as stated in the treaties; but in after years (1876-1878) Congress passed laws virtually prohibiting its use for that purpose.

The Indians own and have a title (in fee-simple) to all lands east of 96°, but not an acre of land west of 96°. And the Interior Department, in treating for these lands, simply treated for a public domain, for soil that at that time belonged to the United States, and for which the Government had a clear title.

But suppose the Indians did, at one time, own the country that we now seek to occupy, certain it is that they sold and transferred any claim or title they may have had by the treaties of March and July, 1866, and got the cash for it.

The act of September 20, 1844, granting pre-

emptions to actual settlers, provides that all lands, where the Indian title is or shall hereafter become extinguished, shall be subject to the provisions of this act. Here is an extinguished title. Section 2 A. & P. R. R. Charter provides that the Government of the United States shall extinguish, as rapidly as may be consistent with the good policy of the Government, and only by the voluntary session of the Indians, the title to all Indian land lying along the line of said road. The United States, acting in good faith, did extinguish the title to all lands (Indian) west of the Sac and Fox, Pottawatomie and Chickasaw reservations, to the Red River on the south, and to the Pan Handle on the west.

Congress in 1878 passed an act providing that wherever there was a landgrant to any railroad, or for any other purpose (and it does not matter in what State or Territory), that the preëmption and the homestead laws of the United States should apply to all even sections of land within the limit of said grant. Take all other laws and treaties away, and we can hold under the grant to the Atlantic & Pacific Railroad. This law is plain and emphatic. It makes no provisions as to treaties, reservations, or conditions. The wording of the law is "all land where there is a grant," etc.

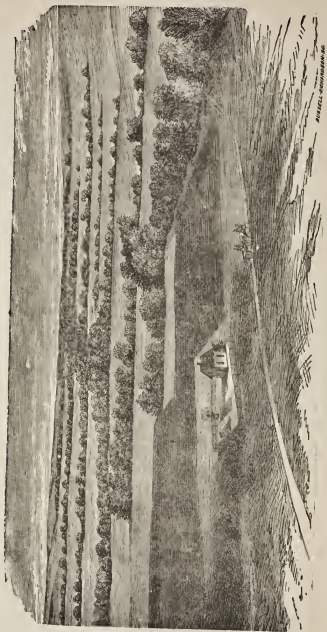
The Indians themselves never pretended to claim any interest in these lands since—not even a “hunting permit” now—and the odd sections given to the Atlantic & Pacific Railroad have been set apart for them ever since the survey was made. The single fact that the action of Congress gave the grant and right of way through this part of the Indian Territory is proof of it being Government land, as they had no power in like when the M., K. & T. R. R. sought a right of way through the lands that the Indians had a title to. The fact is hence more boldly to the surface, that these lands are held by those who have the power to control them in the interest of a wealthy syndicate, to the exclusion of the mere pioneer and the home-seeker.

The above, as voicing the last meeting of those who are the friends and sympathizers of the colonists, is respectfully submitted by your committee as appointed.

FRED A. SOWERS.

REV. T. W. WOODROW.

A. D. STUCKER.



## OKLAHOMA STORIES.

[From the Globe-Democrat ]

RANDALL'S SPRINGS, I. T., April 29, 1884.

This point was reached at dark last evening, and is the headquarters of the detachment of United States troops sent from Fort Reno to remove all intruders from the Indian Territory. Capt. Carroll of Company I commands. He has four detachments scouring the country in all directions, and arrests are daily made. He now has twelve wagons and thirty-nine "boomers" in camp. Lieut. Taylor is marching down bottomward and arresting all found there. Lieut. Taylor is down Deep Fork, Wells's Store, picking up all he can find, and is expected here hourly. In a few days, at farthest, the arrested "boomers," who are to be sent out of the Territory, will probably be concentrated on the Cimarron River and sent under escort to the Kansas line. Those who prove to be old offenders will be sent to Fort Reno and turned over to the United States authorities for prosecution and punishment.

The "boomers" in camp are very restive under arrest and impatient at the delay which has already ensued in their cases. They claim that they can only be held five days under the military orders, but sev-

eral have already been in limbo for seven and eight days. Capt. Carroll construes his orders to mean that he can only detain the party for five days after the last arrest is made, and says it would be absurd to suppose he could send an escort daily with a small squad to the Kansas line, which is nearly 150 miles distant.

#### PAYNE'S CERTIFICATES.

The following is the form of certificate seen to-day, and which have been sold by thousands :

Capt. D. L. Payne, Prest., —Treas. No. 10095. —Sec.

#### CERTIFICATE OF MEMBERSHIP.

##### OFFICE OF

##### PAYNE'S OKLAHOMA COLONY.

[L. S.] WICHITA, KAN., April 23, 1884.

This certifies that A. Z. Bland, having paid the fee of FIVE DOLLARS, is a member of Payne's Oklahoma Colony, is entitled to all the benefits and protection of said Colony, and an equal voice in all matters pertaining to and the formation of its best government.

In testimony whereof the official signatures of the President and Secretary are hereto subscribed and the Seal of the Colony attached.

D. L. PAYNE, *President.*

A. B. CALVERT, *Secretary.*

The following is the deed or certificate of entry:

PAYNE'S OKLAHOMA COLONY.

CERTIFICATE OF LOCATION, NO.—.

[L. S.] WICHITA, KAN., April 24, 1884.

E. F. Bowker is entitled to the south  $\frac{1}{4}$  section 2, township 11, range 5 west, containing 160 acres of public lands in Oklahoma, and his right to the same is hereby guaranteed to him or his assignees by all the power that can be afforded by this Colony—each member thereof being bound to respect the rights and protect the interests of every other member against intruders. And this certificate, signed by the President and countersigned by the Secretary, with the Seal of the Colony, shall be the only evidence of any member's rights to the protection hereinbefore mentioned.

In testimony whereof the President has signed his name officially, and the Secretary has countersigned the same and affixed thereto the Seal of the Colony, the day and date above written.

\_\_\_\_\_, *Secretary.*

\_\_\_\_\_, *President.*

#### HOW THEY WERE DUPED.

The stories told by the "boomers" are serious from their standpoint, but are not without many ridiculous features. A majority of them seem to be dupes and victims of interested parties. They all profess the utmost confidence in Capt. Payne, but are

severe and bitter in their denunciation of Senator Plumb, Agent Miles, just removed from the Cheyenne and Arapahoe reservation, and of nearly every one connected with the management of Indian Affairs. They point to Payne's poverty as proof of his incorruptible honesty and devotion to the interests of the Oklahoma Colony. Two men said they each sent him \$25 lately, while he was in Washington City, to defray his expenses, and expressed a willingness to advance more whenever he said he needed it. Others said he was barefooted and without a hat or coat deserving the name last week, and that they contributed to get him a suit of clothes to wear to Topeka last week to await his trial before Judge Miller of the United States District Court. John Ludy, of Emporia, says he saw a letter from Senator Plumb to Mr. Sawyer, of Emporia, in which Plumb assured the "boomers" that they might proceed safely to Oklahoma, and that the military would not interfere with them. Mr. R. D. Brown, also of Emporia, says he saw the same letter, and that he can swear to its genuineness. Senator Plumb is also charged by them with having written to J. B. Moon, ex-sheriff of Lyon County, Kan., saying that the "boomers" would not be interfered with; and Dr. J. W. B. Hewitt, that the whole Indian country would soon be opened. On the strength



of these letters, Col. Moon, a brother of J. B. Moon, and many other "boomers," started for Oklahoma with confidence. They also claim that Maj. Hood, the Emporia banker, cattle-dealer, and reputed partner of Senator Plumb, said: "We have offered Payne enough to make him independent, but, G—d d—n him, nothing will do him but to start his colony in Oklahoma." They give the name of Moses Coppock, a well-known citizen of Emporia township, as a witness thereto.

#### STORIES OF ARRESTS.

Most of the men were a little guarded in speech at first concerning their treatment by officers who arrested them, but came afterward to talk about the matter with great freedom and indignation. M. H. Couch, of Douglas, Butler County, Kan., was at work on his claim in the bottom on North Canadian River when Lieut. Stevens' command arrived. Couch informed the military party that they were trespassers on his land, and ordered them off. Lieut. Stevens told him to stop his plow, transfer his team to the wagon, and prepare to leave. Couch refused. Stevens threatened him with arrest. Couch defied him, said he was on his own premises, exercising the rights of an American citizen and would only submit to force. Lieut. Stevens was obliged to forcibly

stop the plow-team. Couch refused to unhitch from the plow, to hitch the team to the wagon, or to obey any order from the lieutenant. He became so violent that Lieut Stevens was compelled to remove him and his team, plow and wagon by force, and to tie Couch's hands behind him. Couch refused to even drive his own team when the march was ordered. A detail was made to drive Couch's team, and Couch himself compelled to walk behind his own wagon for several miles. Thus far Stevens and Couch agree. But Couch asserts that he was treated with great indignity and inhumanity. He says he demanded rations as soon as arrested, but has received none during his five days' confinement. When questioned whether he did not have provisions of his own he admitted that he had some, but that as a prisoner the military authorities were bound to feed him at United States expense. He has persistently refused for five days to attend to his own team. He had broken three or four acres of sod and planted it in corn, potatoes, and water-melons.

M. T. Nix, of Emporia, Kan., is Deputy-Surveyor of the Colony and one of the most intelligent men in the party. He was arrested about sixteen miles up the Cottonwood from the Cimarron River, as he claims, upon the "public highway." He insists he



HAPPY JACK IN OKLAHOMA.



has the right to travel where he pleases on the "highways" in the Indian Territory, says Oklahoma embraces all that part of it which is not assigned to tribes now here, and claims it is as much a part of the public domain of the United States as any land between the oceans, having been purchased from the Indians and paid for, etc., etc. He is fortified with all of Payne's stereotyped arguments and pleas, and likes nothing better than citing laws, treaties, etc., which he construes to suit the Oklahoma "boomers."

D. J. Odell said he lived wherever he had his hat on, but qualified it by saying his post-office was Arkansas City. He was arrested near Johnson's Grove on the Canadian. He was riding on a mule; had to be forcibly dismounted. He resisted to such an extent that he had to be tied. He was then anchored to the hind axle of a wagon and compelled to walk there until the command went into camp at night. Another young fellow on a mule fought so viciously that it took three men to overcome him.

#### CONDUCT OF THE OFFICERS.

In these cases no more violence seems to have been used than was absolutely necessary to compel obedience to orders. The officers are uniformly courteous and polite to all whom they arrest, and explain to them that they have no option in the matter what-

ever, but are acting in obedience to clear, positive orders from superior military authority. No more restraint is placed upon them than is necessary for their detention. They are not allowed to go out hunting because many violated their promise to return under similar circumstances last year. Couch is evidently playing a game in which he tries to be consistent. He was deprived of his team, he says, by force, so he refuses to have anything to do with them, and probably intends to bring suit against somebody for damages. He will either have to receipt for his teams, wagons, and utensils or leave them here. He is an intruder, was arrested and sent out last year, and says he will return again and make all the trouble he can.

The standing ground of complaint made by all "boomers," and their chief justification for coming and going where they please in the Territory, is the fact that cattle-men are allowed to do so, and that the law makes no discrimination and is no respecter of persons. They assert truthfully that cattle-men are scattered all over Oklahoma, are building houses, erecting wire fences and digging wells as actual settlers, and that there is neither law nor common sense to forbid their doing the same. At the Burke & Marshall ranch on the



ROYAL RANCH IN OKLAHOMA.





Cimarron River there is now one fair log-house finished and occupied and another one about half finished. There are fair stables and corrals also, and a good well dug. Several miles of wire fence are also in sight from the ranch along the river bottom. Just north of the Cimarron River, at Payne's Crossing, there are large pastures inclosed by wire fences, all on Oklahoma soil. A large part of the McClellan Cattle Company's ranch north of the Cimarron is within the bounds of Oklahoma. All the Cottonwood ranches are also in it. There is no question about there being immense ranches in Oklahoma inclosed by wire fences, good log-houses built, stables and corrals put up, and wells dug. Every one admits this to be unlawful. The facts have heretofore been disputed, but they are easily proven.

Lee & Reynolds have a large ranch in the Cimarron extending twenty-five miles north and south, and lying mainly (as was asserted) south of the river. Just east of the south end of Lee & Reynolds's ranch, John Miller has a ranch, inclosed by wire fences, seventeen miles square. The pasture was fenced for Mr. Brisbin by Mr. Williams, formerly post blacksmith at Fort Reno. He is now employed in some official capacity at the Cheyenne and Arapahoe Agency. Brisbin sold out, and Miller became the

owner. Lieut. Taylor thinks he rode through a single pasture in the Oklahoma country requiring seventy-five miles of wire to enclose it. It was probably Miller's.

Before dismissing the affairs of the Cheyenne and Arapahoe reservation, a few facts deserve mention. These Indians are among the worst on the continent. They are ignorant and vicious to an extent that is continually surprising those who know them best. They are also more warlike and quarrelsome than any others in the Territory, and have never been subdued. The military may deny this, and point to some of their attempts to escape from the reservation, and return to their old homes in the North-west, when they were overhauled and brought back. But this applies to only a portion of them. When united in any demand upon the agent at Darlington, they have always compelled him to grant it. This has been done more than once or twice, and in the most open, high-handed manner possible. The presence of the few troops which could be brought to bear upon them on such occasions served only to increase and inflame their passions, and in no instance, so far as known, has the military arm of the Government been able to sustain and enforce the agent's authority when it was defied by these tribes.





WINTER QUARTERS IN OKLAHOMA.

## NO RESPECT FOR GOVERNMENT AUTHORITY.

It follows, as a matter of course, that, having no fear of being punished by the Government for their outbreaks, they have no respect for its authority, civil or military. The functions of the Government, from their standpoint, is to feed and clothe them. They exercise the privilege of complaining freely, and of enforcing the remedy for these complaints at the mouths of their Winchester rifles. When they can stop the agent on the road and compel him to sign issues for beef which they are not entitled to; defy him and the United States troops to their faces when an attempt is made to arrest the principal offender; go into the agent's office and forcibly drag him out on the platform, and, with a score of cocked Winchesters leveled at his head, compel him to promise that he will abandon all attempts to punish them; and when a little later on the tribe sees this same threatened, bullied, and overridden agent sufficiently meek, forgiving, and forgetful of his insulted authority as to take the leader of this outbreak with him to Washington City, and condone all his offenses without so much as reproving them, Indian contempt for United States officials is surely not a surprising thing. Chief Left Hand not a great while since wanted some sugar. The agent handed him out a sack of it.

Angry at receiving but one sackful, Left Hand took his scalping-knife, ripped the sack from end to end, scattered the sugar all over the street, strode into the building with his followers, and took out ten sacks instead of one, cursing the agent at a fearful rate for presuming to offer so great a chief as he was so small an allowance as one sack. He walks in and out of the agent's office daily. Such a thing as punishing him in any way for the offense, if ever contemplated, was never attempted. The late stopping of a herd of ponies near the cantonment, and the taking of 175 by armed force, is the logical result of such management of Indian affairs as prevailed for years at the Darlington Agency under John D. Miles.

#### A NEW AGENT.

The present agent, Col. D. B. Dyer, succeeded Mr. Miles at this agency April 1st. His record, made at the Quapaw reservation, places him among the most successful of Indian managers. The tribes under him there secured from 8 cents to 12½ cents per acre per annum for their lands, which were worth no more than those which Agent Miles leased at two cents per acre. Agent Dyer is pre-eminently a business man. If the department's policy is to lease the lands, you can trust him to take the business man's view of the matter, and secure all the revenue



ALARMED POST TRADERS IN OKLAHOMA.





possible from the leases. But he commences at Darlington badly—heavily handicapped. The Government property is badly run down. Extensive repairs and additions are necessary. The Indians, having never been taught any respect for an agent's authority, are not likely to have much for his in the outset. This first lesson the Government should give them immediately, and have the agent's orders vigorously enforced at all hazards. When they are found to be unwise or unlawful, he should be promptly removed. But while in this difficult and dangerous position, he should never be compelled to beg for means to sustain himself. The military force at Fort Reno should be doubled as soon as men can be transferred from other posts, and never be allowed to fall below a disposable cavalry force of at least five hundred men.

#### FORT RENO.

Any account of the Cheyenne and Arapahoe Agency or Reservation would be incomplete which omitted considerable mention of Fort Reno. The post was established in 1875. The military reservation, embracing fourteen square miles and 366.7 acres, was announced in General Order No. 53 from Headquarters of the Army, July 23, 1883. The survey of the military reservation was made by Second Lieut.

R. G. Hill, 20th Infantry, in 1883. Among its buildings are five sets of double houses for officers' quarters, two stories high, the administration building and library, three camp-barracks, four corrals, store-room, guard-house, hospital containing two wards, dispensary, kitchen, library, nurses' room, dining-room, etc., company kitchens, quartermaster and commissary store-houses, paint-shop, blacksmith-shop, hay-yard, scales, chapel, and perhaps some others, besides that of the post-trader.

#### THE POST-TRADERS.

Neal W. Evans & Co. are the traders, and have had a long and eventful career in that business. The elder brother, "Jack," is understood to be the company. He was at Fort Gibson for several years, and went from there to Fort Sill. At that place he was nearly taxed out of business by the infamous Belknap levies and black-mail, and finally had his authority canceled and was compelled to sell out on short notice. He fortunately found a purchaser, or he would have been totally ruined, as he was at the mercy of all successors. Since then the law has been amended, compelling post-traders to take their predecessors' stock, etc., at a fair valuation. On the Evans brothers' removal from Fort Sill, they procured the signature of every commissioned officer at that post, and scores



WINTER HERDING CAMP IN SOUTHERN OKLAHOMA.



of other outsiders, petitioning for their re-appointment. It was not made, however, but Neal W. Evans was soon after appointed post-trader at Fort Reno, as every one knew they were not to blame in the Belknap matter. They received their appointments honestly, strove to conduct their business in the same manner, and only yielded to threats of total ruin by paying some black-mail money, which probably went into Mrs. Belknap's purse. Their establishment is one of the largest of its kind in the country, and embraces a store, post-office, shoe-shop, tailor-shop, livery stable, furniture and carpet rooms, bar-rooms, billiard-rooms, hotel, and is a complete menagerie. They have a chicken-house 20x50 feet in size. The store is 90 feet long, and the whole building 170x170 feet and 2½ stories high, with ample cellars for vegetable and dairy products. They are allowed to sell beer and wine at the bar. Two upper rooms are fitted and furnished as billiard and club rooms for the special use of the officers at the post and their invited guests. When it is said that fire-wood has to be hauled twenty-five miles and costs \$12 per cord, and that all the lumber in the building had to be hauled by teams from Caldwell, Kansas, at a cost for this freightage of \$1.25 per 100 pounds, and that the total cost of lumber laid down here is about \$65 per 1,000 feet, some esti-

mate of the investment can be made. They sell whisky to any one, and give it as their opinion that not a dozen Indians near the post want it; at least they never apply for it. Their hotel business shows a great increase in transient travel. Corn has to be hauled from Caldwell, and is worth \$1.10 per bushel. Bacon sells at 15 cents per pound.

#### THE GARRISON.

But to return to the troops here. They consist of F and I Companies of the 9th Cavalry (colored) commanded by Captains Carroll and Bennett respectively, and C and D Companies of the 20th Infantry, and A Company of the 24th, commanded respectively by Captains Taylor, Bradley, and Crandall. The post commander is Major Thomas D. Dewees, 9th Cavalry, with Second Lieut. J. S. Rogers for post-adjutant. The post stands on a high plateau on the right (or west) bank of the North Canadian River, has a central campus or parade-ground in which a regiment can be maneuvered, and is probably the handsomest establishment of its kind in the West. It is supplied with water from the river, nearly a mile distant, which is forced up into tanks sufficiently to give a full head in the second story of all buildings at the post. Within a few weeks one set of officers' quarters caught fire

and burned down in daylight, entailing considerable loss on its occupants.



E. C. COLE AS HE STARTED FOR OKLAHOMA,

## RAILROADS AND CATTLE-KINGS DICTATING TO CONGRESS.

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If any one is of the opinion that there are no cattlemen in the Oklahoma country, after all that has been said; and if Major Gills or the Government, whichever may be the most interested, will go to the Wild Horse Creek, about fifteen miles south-west of Stillwater, where the Couch Colony was located, they will find the headquarters of the Butler & Martin, ranch, who claim on the range from 20,000 to 25,000 head of cattle. Go five miles west and upon the south side of the Cimarron River, and there will be found the Fitzgerald ranch; and two miles farther west, on the south side of the Cimarron River, is still another ranch, containing 24,000 head of cattle; and still a few miles farther west is again another ranch. Affidavits of proof are not necessary. Inquiries as to vacant ranches show that every acre of land is claimed as ranches by men holding cattle there now. To-day Butler & Martin have hogs without number running in the jack-oaks, which furnish mast in abundance; and plenty of wire fences can be found south of them. It is true some fences have been cut





SPRING DRIVE, CROSSING SWOLLEN RIVER NEAR CAPTAIN PAYNE'S FORD.



in this vicinity, but belonging to parties that would not "whack up," which is the only reason for the cutting. As soon as the owner was run out and gone to the States, another man—to use his own language—did "whack up," and is now occupying the ranch; and boasts that the "other fellow didn't know how things were done here, he was unpopular" etc.

Word comes from Washington that William Warner, of the Kansas City district, is very desirous that some legislation should be passed by Congress looking toward the settlement of the Oklahoma land question. He thinks there is no doubt but that it will be passed; and if Congress only knew what a great drawback to the material and commercial interests of the country it is, they would certainly not hesitate in granting the much-needed relief. The United States Senate has asked for a list of the leases, and their nature, and by what tribes of Indians, etc. Secretary Teller says: "While there can be no objection to allowing the Indians of the Indian Territory to lease their lands for grazing purposes, there is a great objection to allowing the Indians upon reservations outside of the Indian Territory to lease lands, valuable for agricultural purposes, for the purpose of grazing only.

If the Indian reservations are larger than is need-

ed for the use of the Indians occupying them, there should be a reduction thereof, and all that is not needed for the use of the Indians should be opened up for settlement.

This trifling with the Western pioneers by Congress and the President at the dictates of the railroads and the cattle-kings, if it is continued, will likely result in a conflict and even bloodshed. Should this occur, when it will end no one can tell. The minds of the Western men are made up that under the laws the pioneers have the right to occupy these lands ; and if they go there again, before they can be removed it will take an act of war to do it. The question is, who is to declare war against them? The power to make either a civil or a foreign war is in Congress, and not in the President. The laws must be declared to have been violated before the President can even use the militia or army. Congress has passed laws making it a crime to cut timber on public lands ; but how have these laws been enforced ? Process issues, the guilty is arrested, tried—and if convicted, and the resistance is so great that the marshal can not execute the laws, the President, on being properly advised, can order the army to see that it is done. This was what Gen. Washington did in the case of the whisky rebellion in Pennsylvania. If the President can on his own

motion assume judicial powers, declare the law violated, and then use the army to execute his edict, then his will is the supreme law of the land, and all our boasted government of law has lost its guarantee. The principle of individual rights as guaranteed by the Constitution had its origin more than 1,000 years ago. We find this: "No man shall be arrested, nor imprisoned, nor punished, nor deprived of his life, etc., but by the judgment of his peers or by the law of the land." Usurpations for personal rights and arbitrary powers are becoming too common in this country. The time has passed when large and valuable tracts of land fit for agriculture can be held by Indians for hunting and grazing purposes, to the exclusion of actual settlers. If it is not right according to Secretary Teller's opinion for Indians holding reservations outside of the Indian Territory to have more land than they can occupy, and to lease for grazing purposes only lands that are valuable for agricultural purposes, how can it be made to appear right for remnants of tribes to have reservations set off to them in the Oklahoma country, as did the Kickapoos and Iowas by an Executive order dated August 15, 1883. The lands are leased, and, in fact, were leased before they were set off to them—more correctly speaking, the ring had these lands set off for their own use and

benefit, simply using the name of the tribes, which now are almost extinct, as it was desirable to use the name of Indian at the head of their leases. It is bold and highway robbery. It is by these methods the Oklahoma lands are excluded from the actual and *bona-fide* settlers. Will this nation be asked to stand it much longer? Forbearance ceases to be a virtue; something must and will be done?

Let post-traders be a thing of the past. They are now allowed to keep and maintain bar, billiard, and club rooms; they are allowed to sell beer and wine at their bars. In the case of Neal T. Evans & Co., at Fort Reno, Indian Territory, they have two upper rooms fitted up in the most gorgeous style as billiard and club rooms, for the special use of the officers at the post and their invited guests. Their store is 90 feet long, and the whole building is 170 by 170 feet and  $2\frac{1}{2}$  stories high, with ample cellars for storing their wine, beer, etc.

"I have seen the wicked in great power and spreading himself like a green bay tree, and yet he passed away, and lo, he was not; yea, I sought him, but he could not be found."

The act of September 20, 1844, granting pre-ëmptions to actual settlers, provides that all lands where the Indian title is or shall hereafter be extinguished shall be subject to the provisions of this act.

Here is an extinguished title (Section 2). The Atlantic & Pacific Railroad charter provides that the Government of the United States shall extinguish as rapidly as may be consistent with the good policy of the Government, and only by the voluntary cessions of the Indian, title to all Indian lands lying along the line of said road. The United States, acting in good faith, did extinguish the title to all lands (Indian) west of the Sac and Fox, Pottawatomie and Chickasaw reservations, through the Oklahoma country, to the Red River on the south and the Pan Handle of Texas on the west. The Atlantic & Pacific Railway Co. received a grant of twenty sections per mile, through the Indian Territory, of the recognized public lands. Their charter has been forfeited for non-compliance with the terms of the grant, however. To what use are these lands to be put? If Congress had the right to grant these lands to a railroad corporation, have not the people, who created the Congress and from whom it derives its powers, a right to a voice in the matter? That Congress has a right to make the grants, there is no question. Only last May did Congress grant a right of way to the Atchison, Topeka & Santa Fe Railroad from Winfield, Kansas, to Denison, Texas, with a branch westward through the Indian Territory to New Mexico. The

right of way was secured through the "splendid management" of Congressman Ryan. Another bill was also passed granting a right of way through the Indian Territory to the Southern Kansas Railroad, which is in fact none other than the Santa Fe Railway Company. The following is a copy:

"WASHINGTON, D. C., May 31, 1884.—By splendid management Congressman Ryan to-day got through the House his bill granting a right of way to the Atchison, Topeka & Santa Fe from Winfield, Kansas, to Denison, with a branch westward through the Indian Territory to New Mexico.

"The bill passed restoring the law of 1867 in the matter of appeals from the Circuit Courts to the United States Supreme Court, in habeas corpus cases. This law was repealed a few years ago, while the McArdle case from Mississippi was pending before the Supreme Court.

"Mr. Perkins, of Kansas, reported a bill granting the right of way through the Indian Territory to the Kansas City, Fort Scott & Gulf Railroad Company. Placed on the House calendar.

"On motion of Mr. Wellborn, of Texas, a resolution was adopted authorizing the Committee on Indian Affairs to investigate all matters touching the leasing, subleasing, and fencing of lands in the Indian Territory, and the disbursement of \$300,000 appropriated for the Cherokee nation during the Forty-seventh Congress.

"The bill granting the right of way through the Indian Territory to the Gulf, Colorado & Santa Fe Railroad Company gave rise to a good deal of dis-



cussion. It was finally passed, after its consideration had consumed the greater part of the day.

"The bill was also passed granting the right of way through the Indian Territory to the Southern Kansas Railroad Company."

The above goes to show what corporations can do. There seem to be none to use "splendid management" in behalf of the Oklahoma country, except in the interest of cattle-men, who are corporations equal to the railroads, and as powerful in Congress.



## THE STATUS OF OKLAHOMA LANDS.

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In an interview with the "Wichita Beacon" Capt. Couch, on February 26, 1885, said :

"I am astonished at the ignorance regarding the status of Oklahoma lands. I see by the congressional records that it was Vest, instead of Maxey, who said Oklahoma was never surveyed nor sectionized. Now I can go there and place my hand on a thousand corner-stones; but aside from the question of surveys, the preëmption laws allow men to settle on surveyed or unsurveyed, offered or unoffered, lands. Secretary Lincoln, in his report on Oklahoma, says there are no cattle-men on the lands in question, except, perhaps, passing herdsmen, etc. What do these officials mean? Have they been deceived? That is hardly possible. Are they favoring the cattle companies, and do they think the people are fools? I tell you that every foot of Oklahoma is claimed by the cattle corporations, and there is not an Indian on the land; nor do the Indians claim a foot of it. I can give you the names of many cattle companies occupying the lands, and Lieut. Day will bear me out in what I say."

"Let us have the names," said the reporter, "and



CAMP ON CANADIAN RIVER, IN OKLAHOMA.



we'll send them on to Bob Lincoln, Senator Dawes, and the truly good Secretary of the Interior,"

"Well," proceeded Capt. Couch, "there are about twenty large companies, with herds, fences, ranches, and permanent improvements. I will name some of them from memory. There are the Berry Brothers, with over 200,000 acres under fence; two good log-houses, stables, cribs, and a hog-tight rail fence enclosing 300 acres.

"Burk & Martin have over 100,000 acres as a range, and with 100 acres fenced for a horse-pasture; good log-house, stables, cribs, corrals, etc. Gen. Hatch stayed all night there the night previous to his coming to arrest us at Stillwater.

"The McClellan Cattle Company—they leased about 400,000 acres from the Cherokees, and then extended their wire fences so as to take in 100,000 acres of the Government land of Oklahoma. They have two ranches, with houses, stables, etc., on the Oklahoma part. Their fence takes in the settlement of Stillwater, from which the colonists were driven. This fence on Oklahoma was ordered taken down by the Government at one time. A delegation of cattlemen at once went to Washington and secured a stay of the work. These orders from the department are

what we call in the Colony 'the discriminating orders.'

"The Wyeth Cattle Company have over 100,000 acres fenced. They claim a range of 400,000 acres, where they ride the lines. They have three ranches on the Oklahoma soil.

"Fitzgerald Brothers claim a range of 200,000 acres. None of it is fenced. They ride it.

"Horsford Brothers have a range of 100,000 acres. They ride the range.

"Ewing (I don't know whether it is a company or not) has a large range, ranches, and permanent improvements.

"Hewins & Titus—I don't know how much they claim, but it is over 100,000 acres.

"Williams Brothers have 200,000 acres fenced near Red Fork. The fence extends across the Cimarron, thirty miles north-east of Fort Reno.

"The Standard Oil Company—notorious for its crookedness—has a large range and many thousands of cattle just south of Williams Brothers. The brand of the company is 'O I L.'

"Col. B. H. Campbell, of Wichita, is located with his range just south of the Oil Company on the Cottonwood. His brand is a bar, B, and a Q, ( $\overline{BQ}$ ), and

he is known down there as 'Barbecue Campbell.' The range is an open one.

"J. S. Anderson, on Deer Creek, has a log-house and other improvements, and he put up a large quantity of hay last summer.

"Butler & Co., on the North Canadian, have several thousand head of cattle.

"The Belle Plaine Cattle Co., organized at Belle Plaine by Forney, Meeker, and others—they have a range on Deep Fork. I don't know the names of the firms south of this last-named range, but I know that you can not take a bunch of cattle upon the Oklahoma land; it is all occupied, and the occupants will so inform the new-comer. They claim to have authority from the Secretary of the Interior to hold their claims. It is asserted that Teller gave the cattle-men authority to stay there. He told them they could not lease the lands, but he would see that they were not molested in their possession of the lands."

What do you think of the above list of cattle kings and companies, Mr. Lincoln? The statement of Capt. Couch can be proven by thousands of good men.

In discussing the status of the Oklahoma lands, Capt. Couch said:



RANCH BRANDING IN OKLAHOMA.



"I have all the treaties made with the Indians by the Government for the last ninety years."

"Can you point to the treaty with the Seminoles for the purchase of Oklahoma?"

"Yes, sir. I have it here. I will show it to you."

Capt. Couch went to his room and brought forth the treaty.

"Now," said he, "I will give any man a thousand dollars to point out where the Seminoles have any remaining rights by proviso in the treaty. It is too long for you to publish, but look it over."

Article 3 of the treaty reads: "In compliance with a desire of the United States to locate other Indians and freed-men thereon, the Seminoles cede and convey to the United States their entire domain, being the tract of land ceded to the Seminole Indians by the Creek nation under the provisions of article 1 (1st) treaty of the United States with the Creeks and Seminoles, made at Washington, D. C., 1856 In consideration of said grant and cession of these lands, estimated at 2,169,080 acres, the United States agree to pay said Seminole nation the sum of \$325,362, said purchase being at the rate of fifteen cents per acre."

Then follow other sections regarding the granting of the right of way to a railroad company through

their lands—not the lands ceded, but the lands they were to occupy on removal from Oklahoma.

“Other Indians and freed-men” were never located on the land bought of the Seminoles. It was never the intention to locate such people there, and the moral milk in the cocoa-nut will appear below. The treaty above was concluded July 19, 1866. At the time of its conclusion there was a bill pending in Congress incorporating and granting lands to the Atlantic & Pacific Railroad Company. The purchase of the Seminole lands was for the benefit of this railroad, for, eight days after the purchase, Congress passed an act giving to the Atlantic & Pacific Railroad the odd sections of land, and in so doing, as clearly gave settlers the right to take the even sections.

The supplementary homestead act of 1879, section 2,239, reads: “All lands belonging to the United States, to which the Indian title has been or may hereafter be extinguished, shall be subject to the right of preëmption under the conditions, restrictions, and stipulations provided by law.”

The latter sentence refers to the amount (160 acres), the time required to secure title, etc.

The Seminoles were paid every dollar for their lands. The Atlantic & Pacific Railroad was never constructed. The time for the construction of the

road expired, but the law that gave it existence has never been repealed. The friends of the road are contending against a repeal at this time. Even were it repealed, it does not alter the rights of citizens to settle on Government land. One great impediment to the road was the refusal of Cherokee Indians to give the right of way from Vinita in the Cherokee nation.

We should like very much to obtain a glance at the true inwardness of the dovetailed legislation which purchased land ostensibly for the freed-men, but really for a railroad; and we would like to unearth the true inwardness of discrimination against the colonists and in favor of the cattle kings and companies.

In view of the facts given above, it is no wonder that the wise Senators and United States officials do not point to "the law" and show these poor settlers wherein they are wrong. We earnestly believe that the present bill of Dawes is to thwart the opening up of the Oklahoma lands. As the law now stands, Oklahoma is subject to settlement; but if Dawes's bill passes the House, it will be closed against homeseekers. At the request of the colonists we appeal to William Holman, of Indiana, to watch the scheme.

As to the contemplated movement of the colonists into Oklahoma in March, Capt. Couch says the interest has spread into Iowa and Illinois, and hun-

dreds and thousands offer to come and join the home-seekers. A delegation of colonists will depart for Washington to-morrow. Capt. Couch took the train for Topeka this morning to consult the delegation before they depart. We hope they will be heard and their appeal heeded before the hands of the new administration are tied, as to Oklahoma, by the political corruptionists who have favored monopolies, ground down honest toil, and debased the manhood of the nation.

The following are some of the recent leases that have been made: to R. Fenlon, Leavenworth, Kan., 564,480 acres; to William E. Malaly, Caldwell, Kan., 564,480; to Hampton B. Dennison, Washington, D. C., 575,000; to Jesse S. Morrison, Darlington, Ind., 188,240; to Lewis W. Broggs, Muscotah, Kan., 318,720; to Albert G. Evans, St. Louis, Mo., 556,960; to Robt. D. Hunter, St. Louis, Mo., 500,000;—making a total of 3,117,880 acres. The leases are for ten years, at the rate of two cents per annum.

## IMMEDIATE ACTION BY CONGRESS DEMANDED.

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We have endeavored to show the great injustice that has been done to the weak and depressed homeseeker by the great monopolists, and the seeming neglect of our Government in their behalf. We have endeavored to show that Oklahoma, of all countries, should be opened up for settlement—and the powers that have prevented it. This publication is not in the interest of any colony or organization of so-called “boomers,” but to state the facts as they exist, and to give, as the title-page implies, Oklahoma politically and topographically described; history and guide to the Indian Territory, with a few biographical sketches of persons who have been most prominent in doing what they believe they have a right to do—to settle upon these lands. And in a recent decision the U. S. Court says: “They have been guilty of no crime, as the Oklahoma country is public land”—and it happens to be located in the West.

In all ages and countries, how uniformly the course of civilization towards the setting sun—that Mecca which needs the memory of no prophet to draw thither its living pilgrims—that “land beyond



OKLAHOMA CATTLE DRIVE FOR CHICAGO MARKET.

the river" where Greek poet and American Indian alike place the abode of their dead; from the dim confines of Egypt and China, as the spirit of progress—like the wandering Jew, doomed to know no respite from his wanderings—marched on, by Greece, Rome, and Western Empire, across the Atlantic, through Jamestown harbor, over Plymouth Rock, toward the serene Pacific. And then what? They are returning to fields passed over. Whittier's lines written some years past are very expressive of the present sentiment :

"We cross the prairie as of old  
The pilgrims crossed the sea,  
To make the West, as they the East,  
The household of the free.

"We go to rear a wall of men  
On Freedom's southern line,  
And plant beside the cotton-tree  
The rugged northern pine.

"Upbearing like the Ark of old  
The Bible in our van,  
We go to test the truth of God  
Against the fraud of man."

The fraud of man may be seen on every hand; nevertheless there are more good than bad men the world over. It is a question whether there can be found to the square mile more thieves, robbers, cut-throats, murderers, and outlaws than in the Indian Territory to-day. They are protected from



A. P. JACKSON READING THE "RIOT ACT" TO CATTLE MONOPOLISTS.



arrest for crime by the monopolist, in order to terrorize the outsider, creating the impression that rivers run with blood and gore, and that the country is uninhabitable for the poor white man. No doubt this method has had its influence upon those that have given this country only a glancing thought. The intention seems to have been to keep all the facts regarding this country in the dark, and allow nothing but blood-curdling stories to come before the reading public. For years it has been so. If an outlaw could only reach the Indian Territory, he was and is considered a free man; all thoughts of securing his arrest were given up. This state of affairs was continuous, without an effort being made to defend the laws, up to the time Payne and his followers entered the Territory in 1878. His discourses and knowledge of that portion of the world were given to the reading and thinking public, and from that time has progress been made toward the opening up of what has been shown and known to be the richest portion of the globe. We want the United States Senators to understand that they are not deceiving the West by their nefarious class legislation, but only a few fossils among their own number and the romance-readers of the fate of the poor Indian.

The course of some of our representatives has

caused cynical feelings among the thousands who have had their minds and attention looking toward the opening up of this country, almost to a misanthropical point. For instance, a Senator will introduce a bill for the opening up to settlement this country, and proclaim from the rostrum of the sacred halls of the United States Senate that he has no interest in any cattle company in the Territory, and even write letters that the army will not interfere with the colonists entering the Oklahoma country, and when the bill is first on the call of the morning roll of the great day when the fate of this bill is to be known, he absents himself. What are the people to think? The introduction of the bill answered his purpose, and he has no further interest. There must be something convincing in the mind of the great Senator! Says the Spanish proverb: "Oaths are words, and words are wind!" Thus his unequivocal actions are to be passed over.

Notwithstanding the position the Senator and some of his colleagues have taken, it is evident that there is a "power behind the throne." But in view of the fact that there is no question about the Oklahoma lands; that the United States courts have said there is none; that Congress has said so by granting railroad charters through not only the Oklahoma coun-



try, but the Indian Territory as well,—we shall ask that Congress, without delay or further mockery of wise precaution, open the way to the settlement in peace of these public lands; and, as in all other cases, let immigration precede the railroads. Let the beef-producers of the Territory stand on equal rights with their State neighbors—and no more—and help bear the national tax for the privileges they enjoy. Let them atone for their past transgressions. Let the outlaws, thieves, and desperate characters be driven beyond the confines of these lands to the islands of the South Sea, if need be! Let commerce, let agricultural pursuits, let the farm, the orchard, and the native herds and thousands of happy homes, in a most delightful country, take their place!

Oklahoma! well watered, well timbered, rich in soil, a most enchanting clime, may in the near future be your home.



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